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HANSARD'S

PARLIAMENTARY DEBATES:

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

11° VICTORIÆ, 1847-1848.

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COMPRISING THE PERIOD FROM

THE THIRD TO THE TWENTY-EIGHTH

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Second Volume of the Session.

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1848.

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HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

First Session OF THE *Fifteenth Parliament* OF THE UNITED KINGDOM OF *Great Britain* AND *Ireland*, APPOINTED TO MEET 21 SEPTEMBER, 1847, AND FROM THENCE CONTINUED TILL 18 NOVEMBER, 1847, IN THE ELEVENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

SECOND VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, February 3, 1848.

MINUTES.] *Took the Oaths.*—Several Lords.

PETITIONS PRESENTED. From Clergy and others of Trigg Minor, and other places, against the Admission of Jews into Parliament.—From Cheltenham, and Liskeard, for the Removal of Jewish Disabilities.—From Oxford, for Alteration in the present System of Militia Service.—From the Magistrates and others of the Royal Burgh of Cupar, in Fife, for Alteration of Law respecting Highways (Scotland).—From Masters of Workhouses, Relieving Officers, and others connected with the Administration of the Laws relating to the Relief of the Poor in England and Wales, for Provision and Superannuation of all Meritorious Officers who may become Permanently Disabled.—From Inhabitants of Launceston, Van Diemen's Land, for Preventing the further Transportation of Criminals to Van Diemen's Land.—From Cheltenham, in favour of the Health of Towns Bill.—From Inhabitants of Disley and Neighbourhood, for Imposing the Severest Penalties on all Roman Catholic Priests who shall Denounce Persons from the Altar.—From Inhabitants of the Parish of Martock (county of Somerset), against further Concessions to Roman Catholics.

HOUSE OF COMMONS,

Thursday, February 3, 1848.

MINUTES.] NEW MEMBERS SWORN.—For Lancaster County (Southern Division), Alexander Henry, Esq.—For Wells, William Goodenough Hayter, Esq.—For Calne, Earl of Shelburne.—For Edinburgh, Charles Cowan, Esq.

PUBLIC BILLS.—1° Administration of Justice (No. 1); Administration of Justice (No. 2); Courts of Special and Petty Sessions; Protection of Justices from Vexatious Actions.

2° Land Tax Commissioners' Names.

PETITIONS PRESENTED. From Electors of Cheltenham, respecting the Cheltenham Election.—By Mr. J. Dundas, from Tradesmen of Greenwich, for Abolishing the Privilege now granted to Members of Parliament of Freedom from Personal Arrest.—By a great many hon. Members, from various places, for and against the Removal of the Jewish Disabilities.—By Sir R. H. Inglis, from Bath Church of England Lay Association, against the Roman Catholic Charitable Trusts Bill; and from the Grand Protestant Associations of Loyal Orangemen of Rochdale, Portsmouth, and Bury, complaining of the Conduct of the Roman Catholic Clergy (Ireland), and against the Roman Catholic Relief Bill.—By Mr. T. Baring, and other hon. Members, from several places, for Consideration of the West India Colonies.—By Mr. Baines, from Bankers, Merchants, Solicitors, and others of Kingston-upon-Hull, and the Hull Chamber of Commerce, for Alteration of Law of Bankruptcy and Insolvency.—By Mr. J. Dundas, from Greenwich, and Mr. Foley, from Worcester, for Sanitary Regulations.—By Mr. Lushington, from Parish of St. Clement Danes, London, for Discontinuing Interment in Towns.—By Mr. Wood, from Inhabitants of the City of Oxford, for Increasing the Efficiency of the Military Staff.—By Dr. Bowring, from Parish of Yaxley (Huntingdon), for Retrenchment of the Naval and Military Expenditure.—By Sir E. Buxton, from Committee of the British and Foreign Anti-Slavery Society, for Inquiry respecting the Slave Trade.

THE NATIONAL DEFENCES.

MR. HUME wished to put a question to the First Lord of the Treasury. It had been stated that of late years the defences

of the country had been neglected, and that men of high character and reputation had made representations on the subject, not only to the present but to preceding Governments, which it was said had been disregarded. He wished to know, therefore, whether, if he moved to-morrow for a copy of any representations or statements as to the defences of the country which had been laid before Her Majesty's Advisers, there would be any objection to the Motion on the part of the Government? He considered, that if such representations had been made, the House ought to be in possession of them before they were asked to grant supplies for additional armaments.

LORD J. RUSSELL: I do not think there are any documents of an official nature of the purport referred to by the hon. Member which can be laid before this House. I stated, on a former occasion, when I asked the hon. Member for Middlesex (Mr. Osborne) to postpone a Motion of which he had given notice on the subject, that I would take an early opportunity of informing the House what had been done by former Governments and by the present Government in the way of naval and military defences; and I shall take the opportunity of giving that information when I lay the financial statement before the House.

THE NAVIGATION LAWS.

MR. ROBINSON wished to ask whether any correspondence or communication had taken place between the noble Lord the Secretary for Foreign Affairs and the Minister of the United States on the subject of the Navigation Laws; and, if so, whether the noble Lord intended to lay such correspondence on the table?

VISCOUNT PALMERSTON: There has been a correspondence between the American Minister and myself on the subject to which the hon. Gentleman refers. The American Minister intimated to Her Majesty's Government the disposition of the Government of the United States to go hand in hand with the Government of this country in any relaxation which Parliament and the Government might be disposed to make in our Navigation Laws. The answer Her Majesty's Government returned expressed their satisfaction at that communication, and stated that it was their intention to submit to Parliament a proposition on the subject, to which they hoped Parliament would give its sanction. I have no objection whatever to lay these communications before Parliament, and I will endeavour to do so on an early day.

ENCUMBERED ESTATES (IRELAND).

MR. OSBORNE wished to ask at what period it was the intention of Her Majesty's Government to introduce a Bill for facilitating the sale of encumbered estates in Ireland?

LORD J. RUSSELL: It will be introduced in the other House of Parliament in a few days.

THE LAW RELATING TO MAGISTRATES.

The ATTORNEY-GENERAL then rose to move for leave to bring in four Bills:—

"A Bill to facilitate the performance of the duties of Justices of the Peace, out of Sessions, within England and Wales, with respect to persons charged with indictable offences:—A Bill to facilitate the performance of the duties of Justices of the Peace, out of Sessions, within England and Wales, with respect to summary convictions and orders:—A Bill to regulate the holding of Courts of Special Sessions and Petty Sessions:—and a Bill to protect Justices of the Peace from vexatious actions for acts done by them in execution of their office."

Though there might be difference of opinion in the House as to the expediency of intrusting to the unpaid magistracy the large powers they now possessed, all must agree that it was the bounden duty of the Legislature to afford all possible assistance to gentlemen who discharged such duties as were devolved upon them. Now, at present, the law upon the subject was to be found scattered among many Acts of Parliament, and many recorded decisions of the courts; and it was difficult, if not almost impossible, for magistrates to execute their various functions without being subject to prosecutions or actions in the honest performance of their duty. He felt that it would have been vain for him to attempt to put all this branch of the law into the shape of a code; he thought he should have discharged his duty if he succeeded in putting into better form that portion of the law with which he now proposed to deal. With some labour, and assisted by others, he had collected all the statutes and decisions applicable to the proceedings and duties of magistrates in the commitment of parties chargeable with indictable offences; and he believed, that if he should receive the assistance of Gentlemen conversant with the subject, and if

the House should concur in his suggestion to refer the Bills to a Select Committee, a complete code of laws upon this point might be framed. He had adopted the same course with regard to the duty of magistrates in cases of summary convictions, collecting in a second Bill all the statutes, and embodying also in it the various decisions of the courts, and appending a schedule of forms and precedents. In these two Bills he had endeavoured to introduce nothing new; the House, if they should think fit hereafter to make any improvement in the law upon the subject, could do so, but his object had been simply to collect together the enactments and decisions forming the existing law upon these heads. The third Bill comprised the provisions applicable to the holding of special and petty sessions, and in that Bill there was some new matter. It would enable the magistrates of the county, if they should think right, to provide fitting places, at the expense of the county, for holding sessions; for he thought it highly inexpedient that they should be held at public-houses, where the witnesses and others must be exposed to great temptations. It would also enable the magistrates in county sessions, if they should think fit, to pay the magistrates' clerk by a salary; and as that payment was to come from the county rate, he proposed to retain the power of receiving fees with the county, and the power of dispensing with them in certain circumstances, but with a further provision, authorising the Secretary of State, in concurrence with the magistrates, to frame one uniform scale of fees to be in operation through the whole of England. The fourth Bill contained a collection of the laws applicable to the protection of magistrates. These matters not being subjects of political importance might not be interesting to many, and, unaided by hon. Gentlemen on both sides of the House, he (the Attorney-General) could not hope to succeed in this undertaking; but he should propose to allow a Session to intervene before going into Committee on the Bills, and then he trusted he should have the assistance for which he looked. At all events, he felt that he was taking a step in the right direction.

Sir J. PAKINGTON, though, of course, not pledging himself to the details of these measures, could not refrain from expressing his thanks to the hon. and learned Gentleman for his most praiseworthy effort. If arrangements could be made for preventing the indecorum of holding petty sessions in public-houses, it would be a very great improvement; the only fear was, that the expense, considering the existing charges upon counties, might hinder its coming very speedily into operation. He (Sir J. Pakington) might say the same with regard to the payment by salaries. But if he could render any assistance in forwarding the objects in view, he should do so with great pleasure.

Mr. CRIPPS wished to ask whether the fourth Bill would limit the power of the judges of the local courts to entertain actions for unliquidated damages? He did not know whether the Attorney General had heard any complaints upon the subject; but it was becoming a common practice to bring actions against magistrates, for the mere purpose of harassing them, for what the parties were pleased to call illegal commitments, laying their damages under 20*l.* He (Mr. Cripps) knew of three most respectable and highly intelligent magistrates who were on the point of sending in their resignations, simply because they had been harassed with actions, in which, although they had succeeded in gaining verdicts, they were put to 15*l.* or 20*l.* expense, and worried for merely doing their duty.

The ATTORNEY GENERAL had not heard of any complaints of this kind, and had not introduced in these Bills any provision upon the subject; his main object was to consolidate the law, remedying also some defects and difficulties that had arisen in the construction of the statutes; it would be for the House to consider hereafter whether any new enactments should be added of the nature alluded to. He ought to have mentioned that he had placed in the margin references to the books of authority where the present law was to be found; if the forms of the House would allow him to circulate the Bills in that shape, it would be very convenient.

Mr. HUME suggested that all the references should be appended in a sheet at the end of the Bill. With regard to the question of the hon. Member (Mr. Cripps), he (Mr. Hume) must say, that if the public were not to have the protection of the law, or of the dread of the law, against improper proceedings of justices of the peace, the Government ought to adopt some rule that should prevent any one being appointed a justice till he had been examined and was known to be qualified to

act as such. He was opposed to all unpaid services; that might appear singular; but he found, in every public department, from the highest to the lowest, that services professing to be unpaid were always to be paid indirectly in some improper manner. But it was a gross reflection upon the common sense of the Legislature and the Government, that because a man, perhaps a labourer at Woolwich, scarcely able to write his name, happened to succeed to an estate or a fortune of 10,000*l.* a year, he must be clapped into the commission of the peace immediately; it was disgraceful that there was not some qualification required, or some means taken which should protect the liberties of the people. Why, it was but a few weeks ago that a poor girl of twelve was imprisoned for fourteen days for taking home with her a book given her to use at one of the national schools. Many such acts occurred, though the Legislature only heard of them now and then; and he should protest against any protection being granted to these unpaid magistrates, unless there was some regulation regarding their qualifications and acquaintance with the law. But, as far as consolidation went, these Bills were very proper.

Leave given.

SUGAR AND COFFEE PLANTATIONS.

Lord G. BENTINCK: Sir, if I consulted my own wishes, aware as I am that the Motion I am about to propose will receive no opposition from Her Majesty's Ministers, I should much prefer to make no statement on this occasion; but I believe I should not be consulting the general wish of the House, or the wishes of those who are deeply interested in the produce of the sugar-cane, if I were to make this Motion for a Committee of Inquiry without some preliminary observations. It has been represented to me by many of those who are interested in Her Majesty's colonies in the East and West Indies—it has been represented to me, from those colonies, and from persons in this country who are interested in them, that the course which I am proposing is not consistent with the necessities of this case; that there is something pusillanimous in the Motion which I am going to bring before the House; that, in point of fact, the West Indian interest and the interest of the Mauritius and the East Indies, connected with sugar and coffee planting, are *in extremis*, and that while the question of their redress is being discussed in a Committee up-stairs, these great interests will perish. They say to me that a Committee of Inquiry will be to them of the nature of that comfort which—

> "Like cordials after death, comes late;"

and that before the Committee shall have reported, the West Indian interest will be altogether past recovery. But, Sir, it is for me to consider what my power is to obtain any substantial relief by a direct vote of this House; and when I remember that in July, 1846, I moved a resolution of this House, the purport of which was to maintain the protection for the West Indian and East Indian free-labour colonies, which they now seek, and that I had but 130 Gentlemen to support me, whilst 265 votes were recorded against me in favour of the measure of Her Majesty's Ministers admitting slave-labour sugar, I feel that it is hopeless for me to endeavour in this House—where I have no reason to suppose any addition has been made to the Members acquiesing in my views of protection—to convert that minority to a majority; and more especially when I recollect that on that occasion but five Gentlemen connected with the West Indian and East Indian interests recorded their votes with me, I think the West Indian interests have not a good case against me when they blame me for not taking a more resolute step on this occasion. I need not say for myself—I doubt not I may say for those 130 Gentlemen who supported me in the year 1846—that they require no Committee of Inquiry to convince them of the necessity of some immediate and some substantial relief to the sugar-planting interests under the British Crown; but in proposing this inquiry I wish it to be distinctly understood that I do not seek to preclude either myself or any other Member—if any substantial measure for immediate and effectual relief should be brought forward—from supporting that measure, or from pledging themselves to support any such proposal. But, Sir, looking as I have done at the deplorable state of the West Indies, the East Indies, and the Mauritius, and holding as I do in my hand a list of forty-eight great houses in England—twenty-six of the first commercial houses in London, sixteen in Liverpool, and six elsewhere—which have failed, and whose liabilities amount in the whole to 6,300,000*l.* and upwards, none of which, I believe, would have fallen if it had not been for the

ruin brought upon them by the change in the sugar duties, and the consequent reduction in the price of their produce—I do hope that through the intervention of a Committee of this House, I may be able to prevail upon the House to change its policy with regard to this great question. The right hon. Member for Manchester, the Vice-President of the Board of Trade, has stated elsewhere that he considers the account between this country and the West Indies to have closed in 1833, when this country made a grant of 20,000,000*l.* of compensation money to the slaveholders in our colonies. I hope, however, to be able in the course of this discussion to show, that, though this compensation does appear on the first blush to have been most liberal, it has in reality proved to be no compensation at all for the losses which the proprietors in the West Indies and the Mauritius have sustained. And, Sir, it must be borne in mind that this compensation, accompanied by the measure of emancipation, was in a manner forced upon the proprietors of slaves in our colonies, and was not the result of any compact or bargain with them. I am well aware that the feeling against slavery has very much subsided since the time when the whole nation was in a state of excitement against the continuance of slavery in our colonies. I am well aware that that high sentiment of Christianity and religion which inspired the nation almost as one man for many years previous to 1833, has comparatively become dead, and the desire for cheap sugar has overcome all regard for freedom and abhorrence of slavery. I cannot, for one, be blind to the fact, that at the last general election not one single word was uttered in any quarter against slavery and the slave trade; and that those parties who were omnipotent in the election of 1832 had become altogether silent and powerless in the election of 1847. Though I retain my opinion that we are bound in honour and good faith to exclude from this country slave-grown sugar, I feel it would be useless for me to propose any measure for that purpose; yet if such a measure should be proposed, I shall be ready and willing to support it. There is another measure which I have supported on former occasions. I mean the measure for the admission of foreign free-labour sugar, to the exclusion of slave-grown sugar, with regard to which I think the House now stands in a position far different from any in which it has hitherto stood. In that case the dispute was, whether or not we could, consistently with our treaties with slaveholding countries, and with Spain in particular under the Treaty of Utrecht, admit foreign free-labour sugar, and exclude slave-grown sugar. I shall not now rediscuss that question. I retain my opinion, that we were fully justified by the Treaty of Utrecht in making the distinction between the two kinds of sugar. When, however, the Ministers of the Crown—when the noble Lord opposite the Member for London, and the noble Lord the Foreign Secretary, proclaimed that, in their opinion, that distinction could not be maintained, consistently with good faith or the honour of the Crown, I knew that such a distinction could not be enforced without the dismissal of those Ministers from the service of the Crown who had maintained, in the face of foreign Powers, that such a distinction could not be made consistently with the honour of the country. Whatever, therefore, may be my opinion on this point, I, for one, am not prepared, on so trifling a ground as the admission of some 20,000 or 30,000 tons of free-labour sugar, to attempt to force a change of policy, which must, if I were successful, overthrow the Government.

Sir, the West Indian proprietors ask, in all their petitions, for several things. They ask for the exclusion of slave-grown sugar—for differential duties—for the free admission of molasses into the breweries and distilleries of this country—for the admission of rum on an equality with British spirits—for the repeal of the navigation laws—and for free access to the coasts of Africa, and elsewhere, for the purpose of obtaining free labourers wherever they think fit.

With respect to the navigation laws, I shall state at once that I cannot go along with them in supporting their repeal; and I must further take leave to say that, in my opinion, it is most inconsistent on the part of the West Indian and East Indian interest to ask protection for themselves, and to deny or seek to deprive other interests of the protection they enjoy. I recollect when the noble Lord opposite introduced his measure for the alteration of the sugar duties to the House, he said that protection must travel in a circle—that the circle was a vicious one—and that protection to the West Indies was a part of that vicious circle which he was disposed to recover. I agree with the noble Lord, that

protection must go in a circle—that you cannot give protection to one and refuse it to another; but, so far as the West Indies are concerned, I am at a loss to understand how they can expect to derive any benefit from the repeal of the navigation laws. I know that a letter has been written by one "Jacob Omnium," who has now, however, cast off his disguise; and in that letter it is stated that while freights from St. Croix to this country were only 3*l.* 10*s.* a ton, the freights from Demerara were 6*l.* a ton. Assuming that the navigation laws could create such a difference, which however is not the fact, I want to know what benefit it would be to the West Indian interest if the navigation laws were repealed, unless they mean that they are to be repealed only so far as they themselves are concerned, but to be enforced as regards the rest of the world? But suppose the repeal of the navigation laws would reduce freights from 6*l.* to 3*l.*, as between Jamaica, Demerara, and Great Britain, I ask, would not their repeal have exactly the same effect as regards Cuba and Brazil? Six-sevenths of the whole trade between this country and Brazil and Cuba are carried on in British vessels; and to all intents and purposes—so far as the navigation laws are concerned—therefore the trade to Brazil is as much a close trade, and as much of a monopoly, as the trade with any British colony. If the repeal of the navigation laws would reduce freights from 6*l.* to 3*l.* between Jamaica and England, and between Demerara and England, would it not equally reduce freights from Brazil and Cuba to England? The repeal of these laws, therefore, might possibly cheapen freight, but it would do so equally with regard to the slave-grown sugar of Cuba and Brazil as with regard to the free-labour sugar of the British colonies. As this cry has come from the West, and not from the East Indies, let me remind them that the freight to this country from Demerara has never been 6*l.* a ton, as stated by "Jacob Omnium," except for a moment when the "times were out of joint. But supposing the freight from the West Indies to be 6*l.*, the freight from the East Indies, from Java, and the Mauritius, at corresponding rates, would be at the least 12*l.* If the West Indian interest, therefore, imagine that the repeal of the navigation laws would reduce their freights to England 3*l.*—than which supposition nothing can be more ridiculous—I must remind them that the repeal which reduced their freights 3*l.* a ton, would at the same time reduce the freight from the East Indies and Java 6*l.* a ton; and I should like to know what the West Indies would gain by a change which would reduce the freight from Brazil, Cuba, Mauritius, Calcutta, and Java, in the same proportion that it would reduce freights from Jamaica to this country, whereby the Eastern hemisphere would gain 6*l.* per ton where the West Indies gained but half that sum? I have, however, a number of statements by me from those most qualified to give correct information on this subject, and I find that freights in the early part of the year from Jamaica were from 3*l.* 10*s.* to 4*l.* 4*s.*; from Demerara, not 6*l.*, as alleged, but from 2*l.* 10*s.* to 3*l.*; and from Barbadoes and Trinidad, 3*l.* 10*s.* to 3*l.* 15*s.* By the last advices from Pernambuco and Bahia, I observe that the freights by English vessels were lower than those of other vessels. True it is that freights from Cuba are lower than from Jamaica; but at Cuba the ship runs up alongside the wharf, and there is no droggerage to pay. In Jamaica the sugar is brought to the port of shipment in small boats at the charge of the shipowner, the freights on the north side of the island ranging much higher than those on the south side—generally 15*s.* a ton. At Demerara the freights are as low as from any other sugar-growing country in the world. I think, then, I have disposed of the question of the navigation laws so far as the West Indian interest is concerned.

I come now to the question of the admission of rum on an equality with British spirits. Upon this point I hold the same opinion which I maintained last year. If the West Indian interest can prove that an equality in name is an equality in equity and justice, I am quite ready to admit rum at the same duty as that laid on British spirits. But my opinion is, that when the justice of the claim comes to be inquired into, the British distillers will be able to show that, so long as Excise restrictions are imposed upon them, from which the rum distillers are exempt, the present differential duty is no more than equity and justice require. That is my present opinion; but I will go into the Committee with an honest desire to come to a just decision on the question. With respect to the introduction of molasses into breweries and distilleries, that is an affair between the West Indian interest and the Chan-

cellor of the Exchequer; though I do not know whether the admission of molasses which they claim would very much benefit the West Indian proprietary.

The great question of immigration comes next. Some of the West Indians, who live in Demerara, Berbice, and Trinidad, imagine that by the free immigration of labourers they can compete with all the world; and I am disposed to say, that the British planters should have every facility afforded them for obtaining labour wherever they can get it, so long as they do not trench upon slave trading; but if the Demerara people can, as they say, by the importation of some 100,000 or 150,000 labourers, produce 400,000 tons of sugar yearly, the effect will be, that they will altogether swamp the old colonies of the Crown. But though I think that no unfair advantage should be given to one colony over another, I doubt very much whether any free labour can enable the planters to compete with slave labour; or whether any amount of free labourers will so beat down wages as to enable the free-labour sugar planters to compete with those who employ slave labour. I would ask the West Indian how it is that in Barbadoes, which is more thickly populated than China—which has 750 persons to the square mile, and whose population is three times as dense as that of Ireland, and nearly three times as dense as the population of England—which is more dense than any other spot in the habitable world, unless it be Malta—I want to know how Barbadoes by any importation of Africans can be made to compete successfully with the slave-grown sugar of Cuba and the Brazils, on even terms, when with a 6*s.* duty in their favour it is unable, notwithstanding its dense population, to compete now? I believe there is no example of any country being able with free labour to compete with the labour of slaves. I have heard it said, that Porto Rico is an example of this kind. But the sugar planting in that country is almost entirely done by means of slave labour. The exports of sugar annually from Porto Rico have never exceeded 49,000 tons; but such as it is, the business is carried on by the labour of slaves. I am aware, indeed, that Colonel Flinter, writing at Madrid eighteen years ago, gives a different account; but since that we have had very contrary opinions expressed on the subject. I know that what Colonel Flinter wrote in 1830, was constantly quoted as an authority in this House in the debates of 1833. He stated—

"That for one shilling sterling of daily wages, free labourers would work in Porto Rico from sunrise to sunset, and on a moderate calculation would perform more work during that time than two slaves would perform."

When Colonel Flinter wrote, the exports of sugar from Porto Rico only amounted to 20,000 tons. Now, the exports from the same place, for the year 1847, up to the 10th of December, amounted to 49,000 tons. But how has this been arrived at? Is it by free labour that these results have been obtained? No such thing. I hold in my hand an extract from a work, the truth of which, I believe, will be confirmed by a Gentleman now in this House; it is an extract from a work written by Mr. Macgregor. That Gentleman states—

"That in the year 1828, 1,437,285 acres of land in Porto Rico, were held by 19,140 proprietors. At the same time, 423 individuals were proprietors of estates worked by slaves. Of these 275 were devoted to the production of sugar, and 148 were other plantations. In 1822, there were but 29 sugar estates, and the value of the sugar exported annually amounted to 57,000 dollars; but in consequence of the liberal conduct of Governor Le Tone, great encouragement was given to sugar planting under his administration, and a considerable immigration took place into this island."

Mr. Macgregor further says—

"That the planters from the neighbouring islands of St. Croix and St. Thomas brought their slaves to Porto Rico, and that in consequence of the introduction of these slaves, and the capital possessed by their owners, the island had continued to prosper since 1828, and had been, and still continues to be, a very considerable source of revenue to the mother country."

So far, therefore, from this being an island where the cultivation of sugar has advanced by free labour, this rapid increase in its prosperity has been the result of the encouragement given to slave-owners in other places, to induce them to settle at Porto Rico. But if this evidence which I have referred to be not sufficient, I have another authority which may prevail even much more at the Colonial Office than that of Mr. Macgregor. That to which I am now going to refer is an extract from a lecture on political economy; and regarding the island of Porto Rico, the lecturer says—

"So long as the fertility of the land remains unexhausted, it is probable that the slovenly labour of the small free proprietors may continue to raise a considerable quantity of export produce; but it cannot be doubted that most of its

surface is no longer in this condition. It is becoming less practicable to cultivate it every day, excepting on larger estates, with the aid of much capital, and with numerous gangs of slaves."

And the same authority states—

"The enormous importation of slaves has caused increased production of sugar, as I said before, from 20,000 tons in 1838, to 49,000 tons in 1847."

The author of this statement is Mr. Merrivale, the Under Secretary for the Colonies; and I hope he will instil into the mind of his noble Chief the conviction that nothing can be more illusory than to suppose that free labour could ever compete with slave labour. But I want no better authority than that of the noble Earl the Secretary for the Colonies himself (Earl Grey) on this point. I recollect, in the debates of the year 1833, when the noble Earl, taking very much the same views as those which I now take, and resisting the apprenticeship scheme, urged upon this House, with great eloquence and great power, that an apprenticeship for seven years was only another species of slavery, and that it was robbing the free labourer of fourteen-fifteenths of the value of his labour. Lord Grey maintained that it was proved beyond all doubt, before Committees of both Houses of Parliament, that the highest estimate of the expense of the support of a slave was 45*s.* a year. At a later period of the same discussion, Lord Stanley said that 50*s.* was the highest estimate of the expense of a slave's support for the year. Now, during the period of mitigated slavery in our colonies, what number of hours were the slaves obliged to work? They were only bound to work five days and a half in the week, and in the Crown colonies nine hours a day. What is the state of free labour now? In the West Indies—in Jamaica particularly—it is with difficulty that people can be got to work for four days in the week; and when they do work, they barely average seven hours a day; and the wages paid, including provision grounds, are about 1*s.* 3*d.* a day. I have a statement, also made by a noble Lord high in office in the Government (Lord Howard de Walden), that during the last year, on an estate of his on which 1,500 free labourers were employed, the person who worked the greatest number of days in the course of the year worked 164 days, and that labourer was a woman. The man that worked the greatest number of days worked but 154. So that three days a week on this estate was the utmost obtained from the male free labourers. [Mr. LABOUCHERE: Where is this estate?] In Jamaica. I can assure the House that the noble Lord is not an illiberal master towards his workmen. He paid half a dollar a day for work, though he could only get that work for from six hours and a half to seven hours a day. How, then, I ask, is free labour in Jamaica ever to compete with that of slaves in Cuba and the Brazils, where the slaves, I presume, can be maintained as cheaply as they were under slavery maintained in British colonies? And let it not be forgotten that slavery in the British colonies, after the year 1823, was of the most mitigated description. The slaves had twenty-six days by law allowed them, exclusive of Sundays, and also exclusive of the usual holidays of Christmas and Easter; and this was not only the case in the Crown colonies, but in all others. In the Crown colonies the time of labour was limited to nine hours a day; but this is not the case in Cuba or Brazil. In Cuba the slaves are worked sixteen hours a day, and during crop time twenty hours a day. It is said, that a negro upon a sugar plantation lives, upon an average, for about ten years. A noble Friend of mine was in Cuba lately, and he stated that he had visited for a single day an estate of a planter in that country. He saw these wretched negroes driven to their work. There were 100 men and 8 women on the estate, and on the day that my noble Friend was there, the agent informed him that two of the men had hanged themselves; but the planter told him that such a matter was not one of rare occurrence, and if a negro hung himself, his place was soon filled up. How, then, was the slavedriver in that country prepared to enforce discipline? I remember the horror which used to be excited in this House at the idea of a slavedriver in the British colonies having in his possession a whip, though but as the emblem of his power and authority. But a whip is not enough for the slavedriver in Cuba. No driver ventures among the slaves there unless armed with his cutlass, dagger, and pistols, and closely followed by his bloodhounds. On being asked what the bloodhounds were for, the driver answered that it was to keep the wretched negroes in order, they being more afraid of those animals than anything else; and, in fact, the dogs were used to keep them in order as sheep-dogs are used in this country. An unfortunate negro was marked out, and the dogs set after him, and they pinned him to a tree until

the driver came up. This is slavery in Cuba; this is the system with which you think free labour can compete, and this the slavery you are stimulating. I see the right hon. Gentleman opposite (Mr. Labouchere) takes a note; and I am sure he will not contradict me when I say that the admission of slave-grown sugar must stimulate slavery, for I well remember to have heard the right hon. Gentleman use the same argument himself. Notwithstanding all the animadversions cast upon the severity of the British colonists, how could they get as much labour as was got out of the slaves in Cuba and the Brazils? What free labour could compete with those places? I hold in my hand a statement of the wages paid in British Guiana made by Governor Light. By that statement it appeared that 25,000 free labourers in that colony received wages amounting to 300,000 dollars a month. If any attempt is made to excite sympathy for these free labourers, I hope the people of this country will think upon what they have been doing for the negro in the West Indies. The people of this country were willing to make a great sacrifice, in order that the slaves in the West Indies might be emancipated; but, I apprehend, the people of this country never intended that those slaves should be raised to a condition far beyond their own. They did not intend that when the slave was emancipated, at a cost of no less than 20,000,000*l.*, he should repay their generosity by idleness, and refuse to compensate them for that measure by his labour. The wages of field labourers in British Guiana, as stated by Governor Light, were for navigators, working from seven to eight hours, 4*s.* 6*d.* a day; digging small drains, seven to eight hours, 4*s.* 6*d.*; cutting and carrying canes, five to six hours, 4*s.* 6*d.*; shovel ploughing, five to six hours, 1*s.* 10½*d.*; relieving and supplying, five to six hours, 2*s.* 8*d.*; hoeing cleaned lands, five to six hours, 1*s.* 8*d.*; weeding and moulding young canes, five to six hours, 1*s.* 6*d.*; clearing trenches and grass, five to six hours, 1*s.* 6*d.*; weeding and thrashing, four to six hours, 1*s.* 6*d.*; making on an average five hours and fifty-four minutes of work done per day, at average wages of 2*s.* 8¼*d.* There are also in-door labourers engaged with the mills, who are not so well paid, but these are the wages which the field labourers get. There are those in Demerara who think that if they can get 100,000 or 150,000 free labourers—though where they are to be procured I cannot tell—they will be able to beat down competition; but it must be recollected that there are but 25,000 labourers in British Guiana at present, whilst the coast extends about 200 miles. In a country, therefore, where food can be grown so easily, what possibility is there of beating down labour by competition to the point at which slaves can work? But it must be perfectly clear that, although there is a great desire to immigrate into the West Indies, especially in Madeira, where the Portuguese Government is obliged to have a steamer of war in order to prevent Portuguese subjects from going to the West Indies, as soon as wages are beaten down to the point desired, the wish of the Portuguese, as well as of all other emigrants, to get there will be *pari passu* diminished. I am one of those who think that this beating down of wages cannot be further attained by immigration, at all events, into Barbadoes or Antigua, though perhaps something may be done in Jamaica, but not enough to enable free labourers to compete with slave-grown sugar produced by slaves maintained at a cost of 50*s.* a year. While a free labourer in Demerara costs 31*l.* a year, and the subsistence of a slave can be procured in Cuba for 50*s.*, the slave is driven to do three times as much work, and not only so, but the work done is done when it is wanted. One great cause of loss to the sugar planter in the West Indies is this, that when the crop is ripe the negroes do not choose to work; and if the cane is not cut when ripe, the cane becomes sour and the sugar is injured. But I do think that as regards immigration much might be done in removing restrictions and facilitating and cheapening the conveyance of immigrants. I confess I cannot understand why any fear of encouraging slavery and the slave trade should prevent us from allowing British planters to obtain immigrants from the coast of Africa, provided they go free on board, with the security of being free on their arrival in our colonies. It is impossible to doubt that the condition of Africans, Chinese, or Hindoos, would be greatly improved by their transport to those colonies. I hold in my hand a speech delivered by Sir C. Metcalfe in the year 1840, only two years after emancipation had been completed, in which he describes the condition of the negroes in Jamaica as most comfortable and prosperous. He says—

"The easy and independent circumstances of the peasantry, as compared with those of our own countrymen at home, is very striking. Probably no peasantry in any other quarter of the globe have such comforts and advantages."

He does not, however, speak in such high terms of the prosperity of the cultivators of the soil. He says—

"The deterioration of properties proceeds from the want of continuous labour, which is the natural effect of an insufficient population, and the means possessed by the peasantry of rendering themselves in a great degree independent of going to labour as servants for hire. It is satisfactory to reflect, that whatever number of immigrants is likely to come from any part of the world, there is room for all, and spare land of the greatest fertility and abundance, so that any probable multitude can be provided for without a diminution of the comforts of the present population."

But we have later evidence of the prosperous condition of the labourers in our West India colonies. That evidence is to be found in the report which accompanies the subscription which was made in the British colonies for the relief of the destitute Irish. At a public meeting, open to all the members of the labouring class, the colonial receiver-general spoke of British Guiana as

—"a land of plenty—a field fitted for raising abundance of food, and, he might add, with a promising sugar crop."

The Rev. Mr. Forbes used the following language on the same occasion:—

"In a country like this food is plentiful, and little covering suffices for the labouring classes. Even the dearth of last year did not produce much effect on those classes. No case of destitution has ever or could ever occur here."

But, perhaps, the most remarkable statement of all in these papers, is that which is to be found in the letter of Mr. Holmes, addressed to Governor Light, when transmitting to him a subscription of 1,200*l.* for the relief of Irish distress. He says—

"Almost all persons, without exception, have subscribed, although it has been a very difficult task to explain to the labouring men of this fortunate colony the meaning of starvation and intense cold."

Now, I cannot conceive anything more expressive than that statement, that the great obstacle to be overcome in endeavouring to obtain subscriptions from the black labourers, arose from the difficulty of making them understand what was meant either by starvation or cold. I think, therefore, that there need be no delicacy about encouraging, in every possible way, the immigration of labourers into the West Indies. But it is entirely a question of cost. The restrictions imposed by successive colonial governments on the free immigration of labourers, have created a burden and expense which are too heavy for the colonies to bear. Hampered as they are with all sorts of restrictions; enabled only to make contracts with labourers for a single year; not allowed to make any contract except in a British colony; obliged to send back the labourers at the end of five years, subject to the cost of carriage backwards and forwards—our colonial proprietors find that those charges eat up all the advantage of importing labourers. What I want to know is this: why are we to be so delicate about Africans, Coolies, and Chinese, only going from one hot and congenial climate to another; who leave a climate certainly not more congenial than that to which they immigrate; why are we to say that no immigrant is to be hired for more than five years, when in this country Her Majesty's troops heretofore were expected when they entered Her Majesty's service, to serve at all events ten years in the colonies for every four years they served at home? And, practically, our army has served in time of peace fourteen years in the colonies for four years at home, and many of our Indian regiments have served twenty-three years in India without coming home at all. I am aware that we made some alterations in the system last year. But if it is not to be held a hardship towards the flower of the British army that it is sent from a congenial climate to climates destructive to their health, where they are to serve ten years, or a longer period if required, why are we to limit the immigration of Coolies, Africans, and Chinese, to our colonies, to a period so short that they do not repay the speculator who takes them out? I must add, that in my opinion there ought not to be imposed on the colonies or on the importer of immigrants any obligation to take them back. They should be left to their own resources—they should feel that they were free in the colonies; but they should also feel that they must rely on their own industry and exertions to pay for their passage home. And more than this; they should not, as I think, be permitted to return home until they had repaid the expense of their importation. Those are matters that will properly come under the consideration of the Committee for which I move. There are other restrictions that seem to be very unnecessary

as regards the West Indies. But I shall now pass to the case of our East India colonies. Those colonies certainly have not the same claim on us that the West India colonies have—namely, that of their property having been taken from them, and their having received as compensation but a very small portion of its value. But, in my opinion, they have the same claim on the good faith of Parliament that the fundholders or any other interest have. When you emancipated the slaves, you invited British capitalists to exert themselves in the production of sugar by free labour. You induced them to invest their money on the banks of the Ganges; and, in my opinion, the faith of Parliament is as much pledged to them to enable them to repay themselves for the outlay of their capital, as it is pledged to repay the fundholder the debt that is due to him.

I shall next advert to the case of the Mauritius. I believe that if any Member of this House was ever justified in moving for a Committee of Inquiry, and in asking Parliament to revise its previous judgment, such a justification is to be found in the language used by the Under Secretary of the Colonies, on the last day of the last Session of the last Parliament, with respect to the condition of that colony. I am sure that it is in the recollection of my noble Friend opposite (Lord J. Russell) that on that occasion, when I gave notice of an inquiry upon this subject, in presenting a petition from the British West Indies, Mr. Hawes, with an air of great triumph, said—

"The noble Lord had confined his attention to the West India Islands; but let him turn to the Mauritius, and he would find that there the greatest prosperity was manifest, and that the production of sugar had immensely increased. He would ask, if it was for a moment to be supposed that these petitioners could be favoured by the admission of their produce free of duty? [Lord G. Bentinck had not made any proposition of that kind, but simply that an inquiry should be entered into.] He was drawing the attention of the House to the petition, and he found that one of its prayers was, that the petitioners should be permitted to have their sugar imported duty free. But, at all events, the noble Lord was in favour of at least 50 per cent being imposed as a protection to the West India planters. Now, if they were to refer to the entire history of the West India colonies, they would find that more complaints were made in that House on the part of the planters during the most palmy days of protection, than had been heard of late years; and the noble Lord might rest satisfied that a system of free trade and open competition would be most beneficial for all parties concerned; that it would lead to greater economy of production, be the means of embarking more capital in the growth and manufacture of sugar, and tend to the general prosperity of the whole population." *

Now, I think that when the Colonial Office, on the 23rd of July last, was so entirely in the dark—so entirely ignorant of the true state of Her Majesty's colonial possessions—so totally uninformed of the real state of this question—a complete justification is afforded for the course I now take in moving for this Committee of Inquiry—not that I may teach my hon. Friends—the 130 Members who supported me, and foresaw all that has happened since 1846; but that Her Majesty's Ministers, and the free-traders in general, may have an opportunity of becoming more perfectly acquainted with all the branches of this subject. I am inclined to hope that this Committee may be the means of persuading Her Majesty's Ministers that they have thus far taken altogether an erroneous course, when, instead of finding the Mauritius in a manifest state of prosperity, they shall find that, out of six great firms in the Mauritius, but one unfortunately remains standing; that the liabilities of the houses that have failed in the Mauritius amount to no less than 2,900,000*l.*; and that the Government has found it necessary to advance 450,000*l.* to enable the colony to go on, as well as to send out orders to India to supply the people of the Mauritius with rice, in order to save them from starvation, in consequence of their policy having reduced the price of sugar 11*s.* per cwt., and as a sequence knocked up the cultivation of the sugar cane in that island. When they learn all this, they may, perhaps, be disposed to pause, and to consider whether the free-trade system can work in the British colonies. When I ask for a Committee of Inquiry on this subject, I ask for a bridge for Her Majesty's Ministers and the free-traders to pass over. But I must say that I have too much respect for the abilities of those Gentlemen, to imitate the example of the hon. Member for the West Riding of Yorkshire (Mr. Cobden), by attaching to that bridge the epithet applied to a well-known proposition in Euclid. The bridge we must find for those Gentlemen is not a bridge "for the blockheads," because we, who have been represented by the hon. Gentleman to be the "blockheads," foresaw all that has occurred; but a bridge for the "men of brains," over which the hon. Member for the West Riding and his fraternity may

* Hansard, Vol. xciv. (Third Series), p. 695.

be able to retreat—not with colours flying or drums beating, and bands playing "See, the conquering hero comes," or "King Richard Cœur-de-Lion," the tune that greeted the hon. Gentleman at Berlin. They may pass with arms reversed, and muffled drums, perhaps muttering between their teeth, "If our doctrine is from God, it will live; if not, it is doomed to perish." But what are the difficulties of the Mauritius? Do they arise from any want of labourers? The people of that colony, at an expense of 800,000*l.*, have had an importation of 93,000 labourers. The difficulty in the Mauritius is not to get labourers, but to make those they have do work. The licence given to those labourers as soon as their first yearly contract is at an end, enables them to run loose over the country, and prevents their employers from getting any work from them. The state of the Mauritius is grievous indeed; and if we cannot but rejoice at the great prosperity and the great happiness that have accompanied the emancipation of slaves in the British West India colonies, we must deplore a very different state of things in the French colony. In this colony, I believe, out of 60,000 negroes emancipated, not more than 8,000 work in the fields; while no less than 26,000 have died. That, I am informed, has arisen from the demoralised and drunken life into which they have fallen. So also as regards the Coolies—I hear that the moral state of the Coolies is most painful to contemplate. I understand that the emancipated negro women consider themselves far too high a class to have anything to say to the Coolies; and the consequence has been, that the Hindoos have indulged the most unnatural and beastly propensities.

But I hope I may be allowed to say a few words in defence of the merchants connected with the Mauritius. It has been too much the fashion to condemn those merchants as wild, rash, and unpardonable speculators and gamblers. It appears to me that a more unjust charge could not well be made. I cannot give the details of the business of individual merchants trading to the Mauritius. But I recollect that the quantity of sugar consigned to the merchants connected with that colony was 28,000 tons; which, at 10*l.* per ton, would give a sum of 280,000*l.* It is charged against the merchants that they have rashly and improvidently advanced money on those estates far beyond their value; but it should be remembered that the annual produce of those estates was that by which that security ought to be measured. The reduction of 10*l.* per ton, caused by Act of Parliament on the 28,000 tons, the average annual produce of the estates on which the capital of these individuals was hypotheticated, represents an annual revenue of 280,000*l.*, and at ten years' purchase would, within 100,000*l.*, equal the sum total of all the liabilities of all these merchants together. And yet, whilst a great portion of them have had so large a proportion of their property rendered almost valueless, they will honourably meet the larger portion of their engagements. But it is not only the value of the property upon which they have lent their money that has been diminished in value, at ten years' purchase, to the extent of 2,800,000*l.*, but it has been made altogether unsaleable. A harder measure was never dealt out to any body of men in this world than to the merchants of the Mauritius, of whom but one out of six, their entire number, has escaped destruction. They have been ruined—not by their rash speculations—not by any mistaken calculations in trade—the only mistaken calculations they have made being in the honour and good faith of the British Parliament. They could not reckon on the measures of versatile minds. It is all very well for Gentlemen holding seats in this House to come down and say they have changed their minds; but when the commerce of England hears the right hon. Baronet the Member for Tamworth declare in 1841, "that the faith and honour of the British Parliament, the faith and honour of the country itself, are concerned in the maintenance of the exclusion of slave-grown sugar," and when they find a majority of this House affirm that proposition, and find on an appeal being made to the country at a general election, a majority of ninety returned to Parliament to maintain that principle—I know not what men engaged in trade or commerce are to do, or where they are to look for security, if not in such pledges as these. It cannot be doubted that these frequent changes in our commercial regulations are highly injurious to the welfare of this country; and it is no wonder that our neighbours in the United States should observe that "no country in the world can stand such constant change and vacillation of commercial policy." Why, it is plain that there must be waste—there must be loss—in such a state of things. You can-

not shuffle over these commercial tariffs, impositions, and reductions of duties from one Cabinet to another: you cannot impose commercial regulations one year, and abolish them the next, without bringing about such disastrous results as have recently occurred in the East and West Indies. You cannot change a trade of 100,000,000*l.* sterling from one channel to another without producing that which is now happening in the East and West Indies, whether the trade be in sugar or anything else. The consequencee of such vacillation must be as we have seen—meetings of creditors—windings up under deeds of inspection, estates thrown into the Court of Bankruptcy—and balance-sheets with liabilities on one side and assets on the other, where the stock on hand will ordinarily be found set down at one-third of its original cost. That is the state of trade here. I see the hon. Member opposite (Mr. Wilson). It was only in July last that Mr. Hawes pointed to the Mauritius as the example of the greatest prosperity; and I think it was in September that the *Economist*, the preceptor of my right hon. Friend opposite (the Chancellor of the Exchequer) put forth a most triumphant article, proclaiming "cheap sugar the triumph of free trade." And how was it to be a triumph? Not only was the revenue to be increased—not only had the consumers gained something like, I think, 2,000,000*l.* sterling—but see, we were told, what a glorious fiscal change! At the rate of 45*l.* a ton, 100,000 tons of sugar additional had been imported, representing 4,500,000*l.*, of which the profits, as the *Economist* told us, must necessarily be divided amongst merchants, brokers, shipowners, grocers, and shopkeepers. This was in September; and yet we do not arrive at the end of October before we find these great mercantile houses, the Reids, the Irvings, and the Barclays—men of the greatest wealth before free trade came to interfere with their prosperity—involved in ruin to an extent, not of 4,500,000*l.*, but of 6,300,000*l.*

But how has this benefited the cotton interest? How have they fared in Lancashire and in Manchester, where the cry was raised, "Oh, let us have cheap sugar—cheap sugar for the poor man—now no longer a luxury, but a necessary of life. Give us cheap sugar. Open to us the trade of the Brazils."

I do not see the hon. Member who moved the Address, but I received a friendly challenge from him to show him that Lancashire had not been benefited by the improved trade with the Brazils. I accept that challenge. How has it fared with Lancashire? Open wide the portals of trade with the Brazils, we were told, and the mills do not exist—the bricks are not made to build the mills—which will be required to supply the enormous trade which will be created with the Brazils, Cuba, and Porto Rico. In vain we said, "Deluded men! do not change your old customers for new ones. You may get new customers in Brazil; but depend upon it your old customers in India, the Mauritius, and the West Indies, are far preferable to any you may fancy you have in prospect—keep the substance, and do not grasp at the shadow." Those who raised a warning voice were ridiculed. I have got, through the favour of Mr. Richard Burns of the *Commercial Glance*—an authority on these matters whom nobody will doubt—a statement of the comparative exports to the sugar-growing countries for sixteen months previous to the passing of the Bill of my right hon. Friend, and the sixteen months subsequent. What does this show? The Bill passed, I think, late in August, 1846—this account takes date from the 12th September. It is true the trade with Brazil has improved:—

"In the 16 months from the 12th May to the 12th September, 1846, the exports of cotton to the Brazils were 1,981,620*l.*; in the 16 months after the passing of the Bill the exports increased to 2,264,386*l.*—showing an increase of 282,766*l.*"

But those who are acquainted with the Brazilian trade know that it is carried on at eighteen months' credit, and that the exports are still unpaid for. I have a letter here from a great Brazilian merchant at Liverpool, who informs me that there has been great speculation, and that the trade is carried on chiefly by British money. My correspondent says—

"From about the middle of 1846 to the same period of 1847 our exports to Brazil were heavy, and considerably in excess of the demand. To Bahia, particularly, they were stimulated, owing to the prospects of a large crop and consequent increased means of the natives to pay for them; all this resulted in accumulation of stocks; so much so, that in July and August of the past year the public stores were full to overflowing, and British ships had to remain, in many instances, for several weeks, without being able to discharge their cargoes for want of storage and room ashore in the custom-house, where all goods must go. I need scarcely tell your Lordship that the dealers in Brazil are sagacious enough, when the markets are so overstocked, to purchase sparingly, and the anxiety of importers to effect sales must have the

result of depressing prices. Your Lordship is correctly informed that large quantities have been got rid of by forced sales on very long credit, in proof of which I may state that the principal exporters are scarcely in receipt of any returns for their exports of 1847, whilst not less than probably a fourth, or a third, of the exports of 1846 are still unpaid for."

My correspondent further informs me, that I may not perhaps be aware that there is an export duty on Brazilian sugar and cotton of twelve per cent *ad valorem;* so that all this encouragement of Brazilian sugar, as in the case of the United States, only tends to fill the Exchequer of the Brazils. But what has our liberality to Brazil done? Has she reduced her duties? No; she raised them in 1845, and maintains them; and, through raising her duties, she has increased her revenues from 7,000 contos in 1845, to 16,000 contos in 1847. Has she shown any favour to our shipping interest? Quite the contrary. She has selected the United States, France, Bremen, Norway, Sweden, and Prussia, and has conferred new privileges upon them; but not so England, who has been fool enough to part with her advantages without asking for any return. Speaking of the slave trade, my correspondent says—

"Several thousands of both sexes are annually imported from Africa into Brazil. I have heard the number estimated at 30,000 and upwards. In October last several cargoes of slaves were landed in Bahia, or on the coast in the neighbourhood; and in a letter from Bahia, written about three months ago, I saw it stated that the assortment was not considered very suitable, there being too many old women amongst them, which were a drug in that market."

Comparing the sixteen months antecedent and the sixteen months subsequent to the Act for the admission of slave-grown sugar, there has been to Brazil an increased export of cotton goods amounting to 282,766*l.* For the period from the 12th of May, 1845, to the 12th of September, 1846, the value of the exports was 1,981,620*l.*; for the period from the 12th of September, 1846, to the 12th of January, 1848, their value was 2,264,386*l.* But the exports to Cuba have fallen from 322,488*l.* in the first period, to 210,732*l.* in the second, showing a decrease of 111,756*l.*; and the exports to Porto Rico have fallen from 4,820*l.* in the first period, to 1,892*l.* in the second, showing a decrease of 2,928*l.* After all, this grand Brazilian, Cuban, and Porto Rico trade furnishes on the balance an increased export to the value of only 168,082*l.*, the goods exported in 1846 not having yet been paid for. So that it is not a very profitable trade. How does the matter stand as regards the British colonies? The exports to Bombay have fallen from 1,643,515*l.* to 1,179,763*l.*; to Calcutta, from 2,816,585*l.* to 2,174,008*l.* There has been a trumpery increase of exports to Madras—from 102,490*l.* to 107,494*l.* The exports to Mauritius, as might well be supposed, have fallen from 89,782*l.* to 41,189*l.*; and to the British West Indies, from 827,483*l.* to 638,175*l.* The result of the whole is, that upon our own colonial trade there has been a decrease of 1,339,244*l.*, while to the foreign slaveholding countries there has been as a set-off, this miserable increase to the extent only of 168,082*l.*, which is still unpaid.

I have a statement as to the raw material of cotton in 1845 and 1846. It was dear in the end of 1846 and in 1847; the price having advanced from twenty-five to forty per cent on the value of the exports. The balance which remained for wages of labour and profits, comparing these two periods, has declined by 1,871,000*l.* And for this we are told the poor operatives of Lancashire are to be compensated by the cheap sugar which they are to get; that the reduction of 10*s.* a cwt. or 1*d.* a pound, is to be ample compensation to the manufacturers and operatives of Lancashire and the west of Scotland, for a loss of 1,800,000*l.*, the greater part of which would have fallen to their share in the shape of wages and profits of manufacture. By a return moved for by the hon. Member for Salford (Mr. Brotherton), it appears that there were engaged in the factories 307,000 persons, of whom I think above 100,000 were under eighteen years of age. If I add 193,000 as dependent on these, it will make the number in Lancashire and the west of Scotland amount to about 500,000. I grant you that in a consumption of 290,000 tons of sugar among 20,000,000 of people, the consumption of each person amounts to between 23lb. and 24lb. a head. Whether or not the unemployed manufacturers of Lancashire have got their due share, I will not pretend to say; but I will assume that every one of these 500,000 persons depending on the cotton trade for their existence consume their share of 23lb. of sugar. The whole will amount in the course of the sixteen months of which we are speaking to about 6,904, say 7,000 tons, and by your policy they have saved 10*l.* a ton on

that. You have given them, then, 70,000*l.* on the one hand, whilst you have robbed them, on the other, of trade to the value of 1,871,000*l.*, the greater part of which consists in the wages of labour. I am sorry the hon. Mover of the Address is not here to meet his own challenge, and show to me, if he is able, that the exchange of your colonial trade, of your "old lamps for new," has answered its purpose.

I have not quite done with this question of trade. I have been furnished with a circular, which came by the last mail from Calcutta, which contains an account of the trade to that place, which is very remarkable. We altered our sugar laws, as regards the East Indies, in 1835, when we admitted East Indian sugar to compete with the colonial. In the year ending the 1st of May, 1835, the whole trade of Calcutta amounted to 1,574,182*l.*, of which about 735,687*l.* consisted of cotton manufactures. The entire exports of Calcutta to Great Britain in the same year were 1,523,475*l.*, and in that year but 134,226*l.* consisted of the produce of the sugar cane. Well, after that the Legislature let the sugar of the East Indies into this country; and what was the result of that? In 1846-7—before the recent free-trade law came into practical operation—the sugar trade had increased from 134,226*l.* a-year, in 1834-5, to 1,690,032*l.*; while the general trade had increased from 1,526,475*l.* to 4,459,422*l.*, being an increase on the general trade of 181 per cent, and upon sugar alone in the same period of 1,159 per cent. Well, is this increased export trade requited by increased imports to the niggardly extent I have shown from Spanish West Indies and Brazil amounting to a miserable balance of 168,000*l.*? Far from it; our exports to Bengal had increased from 1,574,182*l.* to 4,241,072*l.* Of this Lancashire and the West of Scotland had gained an increase upon cotton goods alone, jumping up from 735,687*l.* to 3,087,135*l.*, an increase of 2,321,447*l.*, almost double the entire trade of Great Britain to Calcutta before we opened the sugar market to the East Indies.

Well, the sugar trade has now been cut off from Bengal. It is well known, and admitted on all hands, that while Bengal can supply any quantity of sugar so long as prices keep up, when the export price falls below 11 or 11½ rupees, 22*s.* or 23*s.* the cwt. at Calcutta, the export of sugar ceases. Well, you destroy in prospect the trade of Bengal; and what is the effect? Instead of having in the last half-year an export amounting to half the sum of 3,087,135*l.*, or an export of upwards of a million and a half in the six months just concluded, the exports to Calcutta have fallen down to 424,549*l.* Now, Sir, there are the effects of free trade—there is "the triumph of free trade, the greatest fiscal achievement on record"—as we have been told.

Has this diminished export been confined to cotton goods? No, Sir, I have here a statement—although it is hardly sufficiently full—of the exports of machinery. The right hon. Gentleman near me (Mr. Goulburn), moved for a return of the increased amount of machinery exported to Cuba, Porto Rico, and the Brazils, showing a very great increase to those countries; and I know, too, that the *Champion*, which went out the other day, took six or eight mills and engines to Porto Rico. I find by this return that the export of machinery to the Mauritius, in consequence of sugar works being discontinued or abandoned, has been gradually falling off. In 1845 all the exports to the Mauritius were 333,192*l.*, and that of machinery 41,138*l.*; in 1846 the whole exports had been 323,590*l.*, machinery 17,151*l.*; in 1847 the whole exports were 223,240*l.*, machinery 10,039*l.* To the East Indies and Ceylon the exports of millwork and machinery in the seven years ending 1846 inclusive had been 482,243*l.*, British West Indies 258,820*l.*, Mauritius 121,913*l.*, making a total of 862,976*l.* During the same period the export of machinery to Brazil had been 156,316*l.*; to Cuba 74,887*l.* The total exports of British and foreign goods from the United Kingdom to Mauritius for the years 1845, 1846, and 1847, were—in 1845, 333,192*l.*, in 1846, 323,590*l.*, in 1847, 223,240*l.*

The carrying trade with Cuba and Brazil in the seven years from 1840 to 1846 inclusive, was as follows:—

	British.		Foreign.	
	Ships.	Tonnage.	Ships.	Tonnage.
Cuba	878	271,701	297	68,046
Brazils ...	1,188	284,267	109	22,693
	2,066	555,968	406	90,739

Thus the aggregate tonnage, British, Brazilian, and Cuban, amounted to 646,607—

the joint Brazilian and Cuban constituting less than one-seventh of the whole. It is said that the West Indian proprietors should have resided on their properties; but I think no want of zeal, energy, or enterprise, can be fairly brought against them; for, upon looking at the returns, we may see that their imports of English machinery were very large indeed, and were on the increase up to the period when the present law was passed. What is now the case? Why, the machinery which they erected at so much cost is, in many instances, lying useless and idle; whilst foreign countries are increasing their stock of machinery, and purchasing it, not merely from this country, but from the United States, and even out of our own West Indian colonies. But we are told of the costliness of putting down slavery and the slave trade. I acknowledge it at once. I know these noble exertions have cost this country more than 100,000,000*l.* sterling. There is a sum of 29,000,000*l.* for putting down the slave trade; for blockading armaments; slave trade commissions; subsidies of 400,000*l.* and 600,000*l.* to Spain and Portugal to induce them to put down the slave trade—to induce them to enter upon treaties that have never been fulfilled; then the charge of maintaining military establishments on the coast of Africa. You paid 20,000,000*l.* as compensation for the slaves, and 1,000,000*l.* to the commissioners for distribution to the stipendiary magistrates.

You prophesied — you the advocates of emancipation—that the free labourers would do more than twice the work of the slaves; and you said that the planters were entitled to no compensation, because, instead of being injured, they would be absolutely benefited by the abolition. I remember well the argument often used, especially by the hon. Member for Dumfries, "the day that makes a man a slave takes away half his worth;" and this was held to apply to the slaves in a tropical climate. But what was the state of the produce of the British colonies at that time? Why, with the mitigated slavery that then existed, there was imported every year an average, as stated by Lord Stanley, of 50,000 tons more sugar than this country could consume. The consumption was kept down by the war duties of 30*s.*, and, till very lately, of 27*s.* the cwt. on sugar the produce of the West Indies. You took off taxes from your own shoulders—you relieved yourselves of 15,000,000*l.* of a property tax, and 3,000,000*l.* of a beer tax, and I know not how many millions more of house taxes, salt taxes, and leather taxes—but you took off none of those taxes which pressed so heavily on the West Indian interest; and it is recorded by Mr. Marshall, that while the value of sugar alone imported from the West Indies amounted during the period of the war in 1814 to 12,484,714*l.* sterling, by the change in the currency, and other causes, the entire produce of the West Indies had fallen, in 1830, to 6,758,084*l.* the customs duties on which exceeded 7,150,000*l.* Such is the way the West India islands have been treated by this country; and then you are surprised that there should be a cry of distress when a duty of 30*s.* the cwt. is charged upon their sugar—a duty levied when sugar was selling for 80*s.* per cwt., and continued when the price had dropped to an average of 29*s.* the cwt. The advocates of emancipation predicted for us a greater produce of sugar. Were these predictions fulfilled? Sir, the produce of sugar had so fallen off that it occasioned a rise of 10*s.* the cwt. on an average of the twelve years ending 1846, as compared with the twelve previous years. Sir, I think it is clear that taking the enhanced cost of the sugar to the consumer that has been occasioned by this measure, and the corresponding enhanced cost of molasses and rum, consequent upon diminished production, the result to the consumer in this country has been that instead of being benefited by the substitution of free for slave labour, he has paid in the course of these twelve years between 30,000,000*l.* and 40,000,000*l.* sterling more for his sugar than during the previous twelve years of slavery.

Was this a benefit to the sugar planters? I shall show you presently that they have gained nothing. I have said that 50,000,000*l.* was spent in putting down slavery and the slave trade. To this may be added 35,000,000*l.* as the increased cost to the consumer here, at 10*l.* per ton on 2,500,000 tons of sugar, and on its corresponding and due proportion of rum and molasses entered for home consumption in twelve years from 1834 to 1846, inclusive; and it will make a total of 85,000,000*l.* sterling; and then if you further add the duty which you would have received upon the quantity of sugar, molasses, and rum, that had been previously produced and consumed under the slave system, and which the free-labour system

did not produce, you will find that the falling-off in the revenue amounted to not less than 30,000,000*l.* more, calculated upon the deficiency in the same twelve years of sugar to the amount of 1,000,000 tons, and of molasses and rum in due proportion. So that I do not exaggerate at all when I say, that the abolition of the slave trade and the abolition of slavery—of the mild form of slavery that existed in our colonies—cost this country, from first to last, within forty years, not less than 115,000,000*l.* sterling.

And yet after we have made this immense sacrifice, we have undone it all by the admission of slave-grown sugar to compete with free-labour sugar; for I believe it cannot be denied that it has stimulated the slave trade and increased its horrors.

It has been asserted that the West Indian interest has no claim upon us, and that the Mauritius has no claim; but I beg to differ from those who hold that argument. There would have been no claim if the price paid for their property had been decided by arbitration, and settled in the way that these matters usually are in the case of private property. But did the West Indies appoint an arbitrator? No — this country first said, "We will take your property, and having taken it, we will decide what we will pay you for it. You, the people of England, set your own value upon that property. You valued it at 45,000,000*l.* sterling, having first lowered its value by several measures which the West Indian planters cheerfully assented to. Having lowered the value of the property, by forbidding the transport of the slaves from one island to another; having prohibited the separation of families, even in the case of men and women living together without being married—having put all these restrictions on the sale of transfer of slave property, by which its value was considerably reduced—in fact, having by your acts reduced it to half its worth — you then came forward and appointed your own valuers — set down the value at 45,000,000*l.* and paid them 20,000,000*l.*, being on an average about 25*l.* 14*s.* for each slave. In the course of the war with the United States we captured 3,601 slaves. By the Treaty of Ghent we bound ourselves to make the owners restitution. How did we deal with the citizens of the United States? Arbitrators were selected by both parties, and those arbitrators came to a unanimous verdict; and what was the price that they assessed against England for the payment of these American slaves?

Maryland	717		
Virginia	1,722		
Mississippi	22		
Delaware	2		
Alexandrina, Colombia	3		
Total	2,466	at £58	6 4
South Carolina	8		
Georgia	833		
Alabama	31		
Total	872	at £81	5 0
Louisiana	263	at £120	16 8
Grand total	3,601	... £266,197	10 0;

being an average of 73*l.* 18*s.* 5½*d.* per head, while we only paid to our own colonies 25*l.* 14*s.* 8½*d.* per head! I want to know whether this is fair dealing between our own colonies and the citizens of a foreign country?

There is another example to which I beg to refer—it is the case of French Guiana, with regard to which negotiations are at present going on for the emancipation of the slaves. The arrangement that has been come to is, that they are to receive a sum of 55*l.* for each slave, coupled with the condition that the slaves are to be bound to serve their present masters fifteen years after their emancipation. We know that so long as the apprenticeship system lasted in the West Indies there was no great difficulty in procuring the necessary amount of labour, the only drawback being the fourth part of the day allowed to the apprentices; and then, whether we look at the French colonies or the arrangement made with the citizens of the United States, it cannot be said that the compensation was set down at too high a sum for our own colonists.

But perhaps the simplest way of showing how small a compensation it proved to be will be to show the comparative average cost and profit of cultivation in the island of Jamaica for four years ending 1834, and four years ending 1845. I will take Lord Stanley's estimate of the cost of subsistence, and also Lord Grey's, the first being 2*l.* 10*s.* and the other 2*l.* 5*s.* per head per annum. I have charged the planters during slavery with the payment, not only of effective labourers, but of all the prædial slaves of every age and sex. I find that in the island of Jamaica there were,

during slavery, 287,895 prædial slaves, which, according to Lord Stanley's estimate of 2*l.* 10*s.* per head for subsistence, will cost 719,737*l.* per year. It appears that there are now working on the sugar plantations of Jamaica, 165,954 free labourers, whose wages, at four days a week and 1*s.* 3*d.* a day, provision grounds, &c., included, will amount per annum to 2,153,502*l.*, being an increase on the annual charge amounting to 1,435,765*l.*; add to this loss the decreased value of produce, 786,315*l.*; and we have a loss to the planter, through increased wages of labour, aggravated by diminished value of produce, of 2,222,080*l.* Against this I must set off the interest received upon the compensation money at the rate of 6 per cent., which upon 6,161,927*l.* would amount to 369,715*l.*, showing a balance against the present system of 1,852,365*l.* a year, lost by the change to the Jamaica planters!

But how will the matter stand without protection? How will the matter stand this year, considering the reduction of 10*s.* per cwt., or 10*l.* per ton, in the price of sugar, through the competition which now exists with sugar grown by slave labourers? That circumstance had increased, in 1847, and will henceforth increase, the annual loss by 812,335*l.* Thus the planters of Jamaica will be losers, altogether, to the amount of 2,662,700*l.* a year at present prices, by the change from slavery to emancipation, after giving you credit for your compensation money of 20,000,000*l.*

But does this not show at once what I am endeavouring to prove to you, that the cost of free-labour sugar is so much increased, that the colonies cannot go on much longer when they are placed in competition with slave-labour sugar? I have before me a return from Guiana and Barbadoes. As the latter was said to have suffered less by emancipatien than our other colonies, I shall take the return of that island first. In making the calculation as to Jamaica, I have taken Lord Stanley's estimate. If I had taken that of Earl Grey, the loss would have been considerably greater. In Barbadoes labour has been cheaper than in any other colony. There were 70,695 slaves; and I will take Lord Stanley's estimate of 2*l.* 10*s.* per head, and allow 177,085*l.* for their subsistence per annum. There are 41,661 free labourers, and their wages, four days week, at 1*s.* 2*d.* a day, will amount to a 506,847*l.*, being an increased annual charge of 330,110*l.* Then the share of interest upon the 20,000,000*l.*, at 6 per cent, will be 103,251*l.*, leaving a very considerable loss as the result of emancipation. I take the case of Barbadoes because it affords the only instance in which a greater amount of sugar has been produced after the Emancipation Act, compared with its produce before the passing of that Act. The annual value of the produce of Barbadoes has been greater by 148,035*l.* since emancipation than before. But even the planters of Barbadoes have lost 78,791*l.* per annum, according to Lord Stanley's estimate, and 96,812*l.* according to Lord Grey's, by emancipation, as compared with the expenses of slave-labour cultivation; and supposing the price of sugar reduced 10*s.* per cwt, that will show a net annual diminution of profits of 266,376*l.* in Barbadoes alone, according to Lord Stanley's estimate, and 284,379*l.* according to that of Lord Grey.

The result of all the West India islands, together with the Mauritius, is this—that the wages in 1846, of the whole, amounted to 6,219,077*l.* I have taken them at 1*s.* 3*d.* in Jamaica, 2*s.* 2*d.* in Guiana and Trinidad, 1*s.* 2*d.* in Barbadoes and the minor West India islands, and 10½*d.* in the Mauritius. Now, the subsistence of all the prædial slaves during slavery, cost only 1,629,540*l.* The average annual value of the produce of all the colonies, including the Mauritius, has been only 39,000*l.* less since emancipation than it was during the existence of slavery. The whole difference has gone, not into the pockets of the planters, but into those of the negroes. According to Lord Stanley's statement, the annual increased cost of production is 3,520,229*l.*; according to Earl Grey's it is 3,683,111*l.* a year. After taking credit, then, for the 20,000,000*l.* compensation money received, and the interest of 6 per cent, the planters were losers upon the aggregate twelve years of apprenticeship and freedom by the bargain, according to Lord Stanley, to the amount of 42,242,748*l.* I ask you, then, whether it is at all surprising that the colonies and the sugar planters of the British empire should have been what are called "grumblers?" I think I have proved that there is no pretence whatsoever for saying that the sugar planters have received full or adequate compensation for the loss they have sustained, and that the bargain was closed against their interests altogether in 1833. Why was it closed in 1833? Was it not part of the bargain made in that year that they were to be entitled to seven years'

apprenticeship of their former slaves at all events? And did you not deprive them of the last two years of that term in all these colonies, and in the Crown colonies sooner even than the others? Was there no other bargain entered into than that? Can any one read the debates that then took place in this House and elsewhere—can any one reflect upon the expenditure that the country has from time to time made to put down slavery—could any person remember the extraordinary elections that then took place, when the country was raised, and no man could hold up his hand in a public assembly except in favour of the emancipation of the slaves—can any body fail to recollect that negroes were at that time dragged about to elections with golden chains upon them, and chimney sweeps when negroes could not be obtained, to rouse the feelings and passions of the people? Can you forget that there were placed before half the hustings in the kingdom full-length pictures of white planters flogging negro women? Who that remembers the excitement that existed in the early period of my political life, but must have felt very confident that the British public would never change its feeling on the subject of slavery? Who could have then ever dreamed that the public would have consented, for the saving of one penny in the pound of sugar, to admit slave-grown sugar—sugar produced from colonies where slavery was carried on with more cruel severity than in any other portion of the world? Could any one have believed that they would consent to supply a new stimulus to the slave trade? It appears, however, now that the expense of their philanthropy has somewhat cooled the feelings of the people.

In introducing his measure of emancipation, when the West Indians said that there would be at least a reduction of two-thirds in the produce as compared with that under slavery, Lord Stanley held out this encouragement—"Don't tell me that that will be an injury to you; on the contrary, I think that it will be greatly for your benefit." Lord Stanley did not accuse them then of want of enterprise. He did not say that they required something to stimulate their production. No; on the contrary, he said—

"The distress of the colonists may be traced to one plain and undeniable cause—they have overstocked the market. Though they possess the undisputed monopoly of the markets of this country, they have gone on increasing the extent of their produce until they have far outdone the demand for sugar in the markets of Europe. The quantity of sugar now imported annually, exceeds the demand by 1,000,000 cwts.; and the consequence necessarily is, that the monopoly is practically, and in effect, a dead letter."—"New land has been brought into cultivation—new colonies have been added to our possessions—the cultivators of the old land have been compelled to adopt new and improved modes of increasing the productive powers of their estates; and all for the purpose of contributing to swell that vast amount of excessive production which, beyond all dispute, is the great source of the present difficulties of the West India interest. The owners of property in the West Indies proceed with enterprises not warranted by the circumstances of the colonies, or the demand for sugar in the European markets."*

His Lordship said, that if their production was decreased they would have a better price, and one that would fully repay them. Was it not part of that bargain, when your own valuer valued their interest at 45,000,000*l.*, and you paid them but 20,000,000*l.*, that you were to give them the monopoly of the sugar market? I recollect the evidence given at that time by the late Sir Fowell Buxton, on oath, before a Committee of the House of Lords—evidence that was not made more valuable because it was taken on oath, for he was a high-minded and honourable man, whose simple word was as good as his oath. When he was asked, however, what security the planters were to have for their monopoly, he answered in these terms:—

"Who could ever believe, when the British people had emancipated for conscience sake so vast a number of these unhappy beings, at so heavy a pecuniary expense, that they would ever consent to admit the produce of the slave planter again into this country?"

Sir F. Buxton was an honourable man, and when it was proposed to grant 20,000,000*l.* to effect this object, he stated it to be his conscientious though mistaken belief, that with perfect freedom much more sugar would be produced than had been by slavery. He would not listen, however, to the dishonest proposal that this great act of national justice should be done at the exclusive expense of the colonists. Deputation after deputation came up when the 20,000,000*l.* grant was in question to resist it; but Sir E. F. Buxton refused to listen to them. But many there were who reminded him of the lines in Hudibras—

"For saints themselves will sometimes be—
Of gifts that cost them nothing—free!"

And such was the case with certain Quakers and Dissenters of the present day. I have it here stated in a letter from Bristol, that the first cargo which arrived in this country of slave-grown sugar, after the Act of 1846 was passed,

* Hansard, Vol. xvii. (Third Series), p. 1210.

was brought by the *Unity*, Havannah, to Cowes, and consigned to a Quaker house at Bristol; and not long after a second cargo was received by another Quaker house. I could never before appreciate fully the anecdote told of a Quaker grocer in Manchester, represented to have said to his apprentice, "John, when thou hast done sanding the sugar thou wilt come down to prayers." Too many of those who, when they thought it was to cost them nothing, were most anxious for the abolition of slavery, when they found that it was likely to cost themselves money, became very cool in their ardour; but when they saw that there was a likelihood of driving a good trade in slave-grown sugar, they very soon put aside their religion and morality, and are now looking sharply after their own interest.

I have here a letter on the subject of this slave trade, accompanied with a plan of one of the slave vessels, from an officer of Her Majesty's Navy, Captain Pilkington. [*The noble Lord held up the sketch of the slaver.*] I could hardly believe it possible that human creatures could be packed up in the way they are seen in this sketch. Here they are seen sitting as close together as they can be packed. They are placed longitudinally in rows sitting crossways in the ship, so as to enable their masters to stow as many as possible within a given space. On receiving this letter with its accompaniment, I wrote to know whether I could rely upon the truth of this statement. The answer I received through the Duke of Richmond, is as follows :—

"Swanage, Dorset, Jan. 31, 1848.

"My Lord Duke—I received your Grace's note yesterday. Lord George need not be afraid of the authenticity of the picture. I saw the counterpart of it at Rio; the only difference was, that the deck was *four feet nine* high (*these were pronounced by connoisseurs superb accommodations*). I never served on the coast myself, but have seen and boarded many vessels from there, *after* they arrived. If you will do me the favour to peruse the few *incidents* I have hastily committed to paper, and send them to Lord George, he may perhaps glean something, although the whole system is too notorious to be contradicted. *What I have said is true.* There are many of our officers can furnish a tale of horror and disgust. THE ARRIVAL *in Brazils or the West Indies is the time to see it in its worst and most brutal form.*"

The sketch came into Captain Pilkington's hands in 1823 and 1824, and was similar, he writes, to that of a schooner taken by Her Majesty's ship *Slaney* (Captain O'Brien), off the Isle of Pines. Captain Pilkington says—

"When captured, several of the slaves were dead, others dying, and when the remnant was removed into the Slaney, their flesh was found to be mortified and crawling with maggots, owing to the long confinement and sitting posture. I have seen subsequently slaves recently imported, brought into Havannah, with similar marks upon them. I was never employed on the coast of Africa; but the atrocities of the slave trade can be fully detailed by hundreds who have witnessed them in that locality. I may, however, here remark, that slavers, when captured on the coast, their cargo is comparatively fresh to what it becomes on arrival at Brazils or Cuba. It is here that the effects of the 'middle passage' and its horrors are developed; and any one who has visited the slave market at Rio Janeiro or Havannah, as I have done, can bear testimony to such scenes of brutality as revolting as they are disgraceful to the whole Christian world. . . . . A deep and sworn confederacy exists. Whilst we are lopping off the branches on the coast, the root is flourishing anew, and cherished in the Havannah and Brazils. Enterprise is not dormant. Funds are not wanting. The cultivation of sugar now demands more labour, since the late tariff. . . . . We have not 'hit the right nail on the head.' We must strike deeper and harder than our beautiful little brigs are capable of striking. All the skill and ingenuity of our shipbuilders—all the horse-power of London and Glasgow—the lives of our best and bravest officers and seamen—will evaporate and disappear in the pestilential tornado, without advancing one single step towards accomplishing an object which is continually vanishing like a phantom before our eyes. It is to Rio Janeiro and Havannah, Lisbon and Madrid, we must turn our attention, and break down these hitherto irresistible barriers by compulsory treaty and guarantee. They have too long frustrated the feeble endeavours of civilization and humanity."

Sir, I agree with Captain Pilkington that you never can put down this slave trade by such means as you are resorting to. You will ruin the country in your endeavour to put down the slave trade, by the fruitless attempt to blockade 10,260 miles of coast. How, then, are you to go to work? I would do, Sir, as Captain Pilkington advises, I would strike a blow at the head instead of the hand. Instead of sending a whole army to destroy these individual hornets, I would smother the nests themselves that now exist in Cuba. I have seen, in a late number of the *Times* newspaper, an extract that was taken from a United States' paper; and what did it say? It said that there is a great feeling arising in the United States to possess themselves of Cuba :—

"'If we do not take it,' they say, 'England will. Mr. President Polk has justified the invasion of Mexico, in order to demand from them the payment of a debt. England has a hundred-fold greater claims upon Cuba than ever we had on Mexico: 45,000,000*l.* are owing to British subjects, and to Spanish bondholders in that country, and Cuba is hypothecated to their bondholders to the amount of that debt.'"

And why does America think England likely to take possession of Cuba? Because the existence of slavery is in question, and slavery cannot be put down while Cuba exists as it does. Let England then seize upon Cuba, and she strikes at once a death-blow to slavery and the slave trade. No slave market remains but Brazil, whose coast you may easily blockade. Take possession of Cuba, and that will settle the question altogether. You will only be distraining for a just debt, long due and too long asked in vain from the Spanish Government. You would then put an end to all slavetrading, and you would of course emancipate the slaves of Cuba. If the people of this country have thought it right to spend 115,000,000*l.* in putting down slavetrading, at the cost of the ruin of the British colonies, will it not be a far cheaper policy to put an end to slavery for ever by seizing Cuba, and paying ourselves thereby, at the same time a just debt? [Mr. Labouchere: Would you seize the Brazils too?] I am not aware that Brazil owes England anything. The case of Cuba stands upon its own merits, and upon the debt of 45,000,000*l.* due to British subjects from the Spanish Government. Let Great Britain again possess Cuba, as she did in 1762, when she held it for about a year, and then exchanged it for the Floridas; she will then have the power to cut the trade of America in two; and then, depend upon it, no more boasts will be heard of the United States' aggrandisement in the direction of British territory, such as was lately uttered by one of her military officers:—

"The continent—the whole continent, and nothing but the continent, is our motto; and Uncle Sam will not be satisfied until, putting his hat on the British colonies, resting his right elbow on the paradise of California, with his left hand on the eastern seaboard, he can throw his leg like a freeman over the southern continent of America, with his heel in Cape Horn, and Cuba for a cabbage-garden."

This would be the most effectual course to put an end to slavery and slavetrading; and then no obstacle will remain in the way of the British planter going to the coast of Africa, and obtaining, not by purchase, not by war, but by the inducement of freedom and good wages, any number of Africans he may require for the cultivation of the soil. I thank the House for having so long listened to me. As I said before, if any one should choose to take a more decisive and immediate course for affording relief to the British planters—a course which I should think most desirable—I shall not consider myself precluded from supporting such a proposition; but feeling myself without the power of carrying such a resolution through the House, I am prepared to go into this Committee, resolved to examine into all the different modes by which relief can be afforded; and, if I cannot obtain all I can desire, I will accept all I can get for the planters in our East and West Indian possessions. The noble Lord concluded by moving that—

"A Select Committee be appointed to inquire into the present condition and prospects of the Interests connected with and dependent on Sugar and Coffee Planting in Her Majesty's East and West Indian Possessions and the Mauritius; and to consider whether any and what measures can be adopted by Parliament for their relief."

The Chancellor of the Exchequer: From what has been said by the noble Lord who has just sat down, the House will already have inferred that it is not the intention of Her Majesty's Government to oppose his Motion; and I do not rise, therefore, for the purpose of objecting to the appointment of the Committee for which he has moved. My noble Friend the First Lord of the Treasury, early in the month of November, intimated to the noble Lord, that if he wished to move for a Committee with the objects which he has now explained to the House, Her Majesty's Government would not oppose the proposition. The noble Lord has stated several points in which relief may be afforded the West India interest, with reference to some of which Her Majesty's Government, as well as the noble Lord, think some inquiry may be advantageous; but I should deceive both him and the House, and, what is still more material, the West Indians themselves, if I led them to suppose that in consenting to the appointment of this Committee, Her Majesty's Government meant to imply the slightest doubt of the propriety of the course which they adopted in 1846, or the slightest intention of departing from the provisions of that Act. I think it but fair to all parties that this statement should be made as decidedly as possible, and as early as possible, because I believe that upon a subject of this description uncertainty is the worst of evils; and, as I remember well the hon. Member for Bristol to have said on a former occasion, the greatest kindness which can be shown towards them is to state distinctly and explicitly what the views of the Government are. I propose at the same time to state what are our intentions as to various points of a minor description, on which we do believe that effectual relief to a certain extent may be given to the West India interest, whose present state of distress is, I am afraid, undeniable, and which we most

sincerely lament. In the many interviews which my noble Friend, myself, and other Members of the Government, have had with deputations from that body, we stated that this would be the occasion on which the views of the Government would be fully and explicitly stated; and I propose, therefore, to avail myself of this opportunity of doing so. I shall not follow the noble Lord through many of the topics upon which he has addressed the House this evening. I do not think it necessary to follow him in the general statement of trade for the last twelve months; for I think the peculiar circumstances of last year are such as not to lead to any sound inference generally as to the prospects of the future. I do not propose to follow the noble Lord into the extraordinary proposition with which he closed his speech, namely, that we should foreclose on the island of Cuba, and take possession of that dependency of one of our allies, to satisfy the claims of the Spanish bondholders. I shall confine myself to the question which is fairly brought before the House this evening, namely, the state of the West India interest—what we propose to do for them—what we do not propose to do for them—and the reasons that induce Her Majesty's Government to take the course which I shall more fully explain in the observations which I am about to address to the House. Sir, the statement which my noble Friend has put forward on the part of the West India interest, and the statements laid before the Government by that body itself, amount to this, that at the present low price of sugar they cannot maintain their cultivation; and that low price of sugar they attribute nearly exclusively, and my noble Friend also almost exclusively, to the Act of 1846; and in order to avert the evils arising from this low price, they propose, and state distinctly, that nothing less than a permanent protection of at least 10*s.* per cwt. will enable them to maintain their cultivation and preserve them from ruin. Before I go into the subject, I may be permitted to say that I trust Gentlemen connected with the West India interest will believe I am anxious not to say a single syllable justly calculated to give them offence; but in resisting their demand for protection, I must and ought to state the arguments which have induced Her Majesty's Government to take the measures which they propose to adopt. I am bound to state the argument fairly, and it is possible that in doing so I may use expressions which may be misunderstood. I intreat them, however, to believe, that the Government are anxious to meet their claims, so far as is in their power consistently with the duty they owe to the community at large. Individually I should be happy to relieve them in any way that I can, and the Government are actuated by the same feelings; but they are bound to consult, in the first place, the interests of the great body of the people of this country, and not to favour any particular class. In the first place, it will be desirable to separate, in our consideration of this question, that temporary depression in price which is owing to other circumstances, from that depression which may have arisen from the competition of foreign sugar, because it would be exceedingly absurd to argue that a depression of price which has occurred in other commodities of foreign and colonial produce as well as in sugar, is in the case of sugar entirely to be ascribed to the operation of the Act of 1846, to which those other commodities were not exposed. It is notorious that other articles of produce have been subjected during the last few months to an extraordinary fall of price, as large as that which sugar has experienced, if not larger, owing to the depressed state of commerce which prevailed in autumn, and which affected a great many other articles besides sugar. I find on referring to the price of sugar, and comparing its price at the beginning of the month of January, 1847, with the price at the beginning of the month of January, 1848, that in the beginning of January, 1847, it was 34*s.* 2*d.*, in the beginning of the last month it was 23*s.* $3\frac{3}{4}$*d.* —that is, a fall of about thirty per cent. But the same fall in price is to be remarked in other articles. Take indigo, for example, a commodity not exposed to any competition under this Act of 1846—in indigo there has been a fall in the same period of twenty-five per cent; in rice, there has been a fall of twenty-six per cent; in sago, a fall of fifty-one per cent; and in the better sorts of tea the fall has been forty-eight cent. In these articles the fall has been generally nearly as great, in some greater than sugar. Upon comparing the price of sugar last year with that which prevailed in former years prior to the Act of 1846, I do not find that the price was unprecedentedly low. The average price of sugar in the last year was 28*s.* 5*d.*; in 1829 the average price was 28*s.* 7*d.*; and in the three years immediately preceding the abolition of slavery in our colonies, the three consecutive years, ending in 1832, the prices did not range as high as in the course of the present year. In 1830 it was 24*s.* 11*d.*, in 1831 23*s.* 8*d.*, and in 1832

27*s.* 8*d.* If hon. Gentlemen are not satisfied with the yearly averages, I will take the monthly averages. [Lord G. Bentinck was understood to intimate that it was unnecessary to refer to such returns. If the noble Lord is satisfied that the present low price is not attributable to the Act of 1846, or the Act of 1844, or that of 1833, I will omit any statement of this kind; but if he does say it is so attributable, he must not be surprised if I refer to the prices of years previous to 1833. If it be admitted on all hands that the fall of the price last year had nothing to do with the Act of 1846, it will be unnecessary for me to rebut that proposition; but such is not the statement which has been laid before us by persons representing the West India interest, for that body contended that the present low price of sugar is entirely owing to the Act admitting foreign slave-grown sugar; and with reference to that assertion, it is not unimportant to show that for years during the continuance of slavery the price was quite as low as it is now. But have hon. Gentlemen looked to the entries of foreign sugar for home consumption, and compared the quantity and price with those of colonial sugar? It will be found that at the time when there were large entries of foreign sugar, the price did not fall; and when the entries had considerably fallen off, the price was more depressed. In January, 1847, when the price was 34*s.* 2*d.*, the entry of colonial sugar was 22,543 tons, while that of foreign sugar was 6,924 tons. The price of sugar rose after this large entry of foreign sugar. In September, with the price at 26*s.* 10*d.*, the entry of colonial was 25,288 tons, and of foreign 3,174 tons. It was after this that the most rapid fall took place. In November, with the price at 22*s.* 9*d.*, the entry of colonial sugar was 19,579 tons, while that of foreign sugar had fallen off to 1,774 tons. In December the price was 22*s.* 10*d.*; the entry of colonial was 18,309 tons, and that of foreign 1,969 tons. Of course I am not standing here to deny that a large supply of sugar, of whatever description, naturally brings down the price. The avowed object of the Act of 1846 was to reduce the price of sugar. But it is apparent, that while these large importations of colonial sugar were going on, the importation of foreign slave-grown sugar had fallen off in a most extraordinary manner from what it had been in the beginning of the year; and therefore the great depression in price which took place at the close of the year, can hardly be altogether imputed to the competition of slave-grown sugar. The noble Lord has gone into a great number of cases, and recapitulated a great number of circumstances connected with the general depression of our trade and the export of cotton goods; but the noble Lord has not alluded to that particular fact which no one doubted has had the most material effect upon the latter branch of our trade, namely, the high price of cotton itself.

The noble Lord has accused Mr. Hawes, the Under Secretary for the Colonies, of gross ignorance of the state of the colonies, in consequence of his having said last summer that the trade of the Mauritius was then in a flourishing state; and has attributed to the present low price of sugar the recent apprehensions of distress in that colony, and the necessity for the step which the Government has taken of insuring supplies of rice being sent from Bengal to that island. He has also spoken of the failure of the houses connected with the Mauritius as having been caused by the fall in the price of sugar. The noble Lord has said nothing to show that the trade of the Mauritius was not in a healthy state last summer; and surely, Sir, it is notorious enough that the failure of those great houses, connected with the Mauritius, which we have had to lament, arose from causes utterly independent of the price of sugar. It was in consequence of the risk to which it was too probable that the interests of that island would be exposed from the impossibility of their obtaining the advances on which they have always been in the habit of relying, from their London correspondents, that fears were entertained of serious injury to the planters, and that the necessity arose for the measures of the Government, in regard to the supply of rice. My noble Friend has mistaken cause for effect, and has in fact reversed the order of things, and has attributed the failure of these London houses to the low price of sugar, whilst the great depression of price did not take place until after those failures had occurred. Is it not also notoriously the fact, that in several parts of the West Indies distress to a considerable extent has been caused by the failure of the West India Bank? Without going into the management of that bank, I believe I may say that it failed from causes unconnected with the low price of sugar. The circulation in the island of Barbadoes has been almost annihilated in consequence of the failure of this bank; and much of the distress there as well as in other islands has arisen from the impossibility of

obtaining the usual banking accommodation. In Tobago great distress has been caused by a hurricane which has desolated that island. These causes, together with the general prostration of commercial credit, have caused great difficulty amongst West Indian proprietors, as well as others, and have contributed in no inconsiderable degree, to depress the price of the great staple of their produce. There has certainly been an increased importation of sugar in the course of the last year from foreign countries, and there is no doubt that a large supply of any article generally lowers its price; but the noble Lord, in the case of the low price of sugar, ought not to attribute to one exclusive cause that which many other causes have tended to produce. It is indispensable if we wish justly to appreciate the present circumstances of the sugar-growing colonies to take into account the depression which arises from general causes, and not to attribute the whole of it to one single cause applicable to sugar alone.

The noble Lord, although he stated in the beginning of his remarks that he was not prepared to maintain the total exclusion of slave-grown sugar from the British market, yet in the latter part—

LORD GEORGE BENTINCK: The right hon. Gentleman misunderstood me. I said I was not prepared to make a proposition to admit foreign and exclude slave-grown sugars, because I did not think after what had fallen on a former occasion from the noble Lord opposite (the Secretary of State for Foreign Affairs), to the effect that such a distinction could not be made, I could succeed in that proposition without depriving Her Majesty's Ministers of their offices, and I was not prepared to make it on that account. But I was prepared to exclude slave-grown sugar, and foreign with it, if the one could not be excluded without the other.

The CHANCELLOR OF THE EXCHEQUER: I beg the noble Lord's pardon if I have, though unintentionally, misstated his argument; and I must return him my thanks, on the part of my Colleagues and myself, for the forbearance which he is disposed to show towards Her Majesty's Government.

My noble Friend has stated at great length the injustice with which he considers that the West Indians were treated in the amount of compensation awarded to them at the time of the abolition of slavery, and has stated also the greater liberality which this country has shown in giving compensation for slaves in other cases. Indeed, the peculiar claim which the West Indian body prefer for protection, and the groundwork of their case, as stated by themselves, is this—that they are entitled to further compensation from this country in consequence of the injury which they sustained by being deprived of the compulsory labour of their slaves. In the last Report of the House of Assembly in Jamaica it is to the Act of 1833, and not to the Act of 1846, that their distresses and sufferings are attributed. The position of the West Indians is, that they were at that time the owners of a large body of slaves, by whose labour they manufactured sugar much more cheaply than they are at present able to produce it, and that inasmuch as this country, without consultation or arrangement with them, by the Act of the Imperial Legislature, abolished slavery — deprived them of their property, and the means of producing sugar cheaply — we are bound to compensate them for the injury thus inflicted. The principle of compensation was, indeed, admitted by this country. But the noble Lord and the West Indian body represent the inadequacy of the amount awarded to them by Parliament, and that we are therefore bound to grant them further compensation. This compensation they claim in the shape of protection, by which the price of sugar is to be enhanced to the consumers of this country. On this point of the principle on which compensation was awarded, and of the adequacy of the amount, I will refer to the authority of Lord Stanley, who was the organ of the Government in bringing forward the measure of emancipation; and to that authority, although it may not weigh so much with the West Indians, my noble Friend will be inclined to defer. Lord Stanley, in proposing the measure for the emancipation of the slaves, referred to the papers presented by the West Indian proprietors to the Board of Trade, in which the net profits arising from the cultivation of sugar were estimated by themselves at 1,200,000*l.* a year; and he estimated from somewhat similar data the profits from coffee and rum at from 250,000*l.* to 300,000*l.* a year; making the total net profit of West Indian property 1,500,000*l.* a year. Assuming then ten years' purchase to be not far from the usual rate for West Indian property, the sum of 15,000,000*l.* did not very inadequately represent its total value. The sum which the West Indians actually received considerably exceeded 15,000,000*l.*; and after a payment higher than what might have been con-

sidered a fair compensation for the whole of the West Indian property, I do not think that any strong claim can be made out for further sacrifice on the part of this country. The calculations upon which Lord Stanley's statement was founded were furnished by the West Indians. The people of this country submitted cheerfully to the heavy sacrifice which was then imposed upon them for the sake of these West Indians; and, in my opinion, they ought not to be called upon to submit to the further burden which the protection now demanded would entail upon them. The noble Lord has spoken very strongly of the grievance occasioned to the West Indians by the term of the apprenticeship originally contemplated having been subsequently shortened. Some parties may have been, and undoubtedly were, injured by the abrupt termination of the apprenticeship; but I believe that it is pretty generally admitted in the colonies that the value of the system of apprenticeship was not so great as had at first been estimated; and in one, if not more, of the islands, the local legislature anticipated the period first fixed by Parliament for its termination.

Whatever opinion, however, may be entertained of the claim of the West India colonies on the ground of their having been deprived of slave-labour, it is obvious that this claim does not apply in any way to the East Indies. It may be doubtful how far the Mauritius is entitled to much consideration on this ground. About four years ago a very able pamphlet was published, entitled, *The Ministry and the Sugar Duties.* Whether truly or not, it was supposed to have been written by a right hon. Member of this House; but however that may be, it was written in no unfriendly spirit to the colonies, and is well deserving attention, not only from the ability with which the writer maintains the principles which he advocates, but from the intimate knowledge which he displays of the whole of the subject. He considered the island of the Mauritius to be overflowing with labour after an importation of about 40,000 labourers, which has now amounted to upwards of 60,000; and he therefore places the Mauritius and the East Indies on the same footing, and excludes them both from any claim to consideration on the ground of the abolition of slavery. If, then, the ground upon which we are to proceed, is that which is put forward by the West Indians, how are we to deal with the sugars of the East Indians and the Mauritius? Are we to reimpose a differential duty upon the produce of the East Indies as against that of the West Indies? Or are the East Indies to have the benefit of a protecting duty, to which they have not the slightest claim; and are the people of this country to be taxed 10*l.* a ton on their sugar in order to compensate parties for a loss which they have not sustained? Not more than half our consumption of sugar comes from the West Indies, and with a protecting duty of 10*l.* a ton, the tax which we should have to pay on this account to the East Indies and the Mauritius, would amount to about 1,200,000*l.* a year.

If we are prepared to say that we will admit no sugar except that from the West Indies, to give to the West Indies a complete monopoly of the English market, we should be acting consistently at least with a view to the discouragement of slave-grown sugar. We should then at least have a position which would be tenable. The position was most materially changed when we admitted East Indian sugar; but it become utterly untenable as soon as we admitted free-labour sugar from other sources than our own possessions. As soon as this was done, we found ourselves compelled to admit also the slave-grown sugars of all those countries with whom we had treaties containing the "most favoured nation" clause, and thus the ground and indeed the possibility of the exclusion of slave-grown sugar was completely cut from under our feet. We should only involve ourselves in difficulty, and draw upon ourselves the ridicule of the whole world, by attempting to maintain a position which is in itself utterly indefensible. In 1844, the proposition was made by a Government not unfavourable to West Indian interests, and comprising within it West Indian proprietors, for the admission of free-labour sugar from foreign countries. In common with my noble Friend near me, and other Gentlemen, I contended at the time that the distinction between sugar the produce of free labour, and slave-grown sugar, could not be maintained. I argued, that in spite of the attempt to keep up such a distinction, the admission of foreign free-labour sugar must operate as a certain and positive encouragement to the production of slave-grown sugar. It would obviously do so by creating a demand for more slave-grown sugar in the European market, because if the free-labour sugar then disposed of on the Continent was brought to England, it was not to be supposed that the people on the Continent would go without their usual supply of sugar; and the deficiency occasioned in that supply by transferring free-labour sugar to England

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must necessarily be supplied by sugar the produce of slave labour. The right hon. Gentleman the Member for the University of Oxford then stated his opinion that the measure would not have that effect; but, drawing a distinction which I confess I have never been able to understand, admitted that it possibly might have that tendency. This question, however, was completely set at rest by the reason which the right hon. Baronet the Member for Tamworth afterwards assigned for the disappointment which was experienced at the small supply of free-labour sugar to this country, under the operation of this Act of 1844. He accounted for it by the fact, that the crop in Cuba having failed, and the usual supplies to Europe from thence having consequently fallen short, the free-labour sugar which would otherwise have come here was diverted to the Continent. I think it will be conceded to me that if a deficient supply of slave labour to the continent of Europe was made good by free-labour sugar diverted from this country, the converse of this must be equally true, and that free-labour sugar being withdrawn to this country from the Continent, the vacuum must be filled by an increased supply of slave-grown sugar. The ground upon which the admission of this foreign sugar was resolved upon, was the admitted insufficiency of the supply of colonial sugar. It was stated by the Government, in answer to the protestations of the West Indians, that their monopoly could not be longer maintained, because the supply which they could afford was inadequate to our wants. The probable importation of free-labour sugar in the year 1845 was estimated at 20,000 tons: the actual importation only amounted to 4,000; and in the last year ending 5th of January it is under 12,000 tons. Experience has not been found to confirm the anticipations entertained in 1844, that there would be a large increase of the production of free-labour sugar. I have had a statement put into my hand this morning from a large house in the city, stating that the exports from Java were in the year 1840, 60,900 tons, whilst in the year 1847 they were only 55,600 tons. I will not now go into the question whether Java sugar is really the produce of free labour or not: it is enough for my purpose to show that the expectations of considerable supplies from that country have not been realised. Indeed, when the Act of 1846 was introduced, I recollect that the supply of sugar from all free-labour sources was a good deal exaggerated. The noble Lord opposite anticipated that the East Indies would send in the then current year 100,000 tons. The hon. Member for Buckinghamshire actually laughed when I estimated the probable importation from the East Indies at 75,000 tons. I do not think that the passing of the Act of 1846 could have produced much effect upon the importations from India previously to 1847; but the quantity imported in that year was actually below my estimate, being only 73,000 tons. Of course I can claim no great credit for this, my estimate having been formed from data supplied by other persons well acquainted with the subject; but the result showed that the conclusion from their data was very nearly correct.

The House will also remember the effect of the measure of 1844 was to encourage directly the produce of slave-grown sugar, because when we had consented to admit the free-labour sugar of some countries, we were bound by the obligation of the treaty to admit even the slave-grown produce of many foreign countries. On referring to the imports of sugar for the last year, I find that we imported no less than 3,000 tons of sugar from countries where slavery exists; but which we should have been bound to admit under treaty, even if the Act of 1846 had not been passed. But I do not think that the consequences of the measure of 1844 can be considered to have stopped even here. According to the views of the authors of the Act of 1844, no sugars could be excluded, except those of Cuba, Porto Rico, and Brazil. But my noble Friend the Secretary of State for Foreign Affairs stated very distinctly his opinion, that under a fair construction of existing treaties with Spain, we were bound to admit the produce of her colonies on the same terms as those on which we admitted the sugar of any other foreign country. I think that the arguments which were used against my noble Friend entirely failed in disproving his position; and I entirely concur in the opinion which he then expressed. The slave-grown sugars, therefore, of Cuba and Porto Rico, must have been admitted on the same terms as those of Java and the Philippine Islands. The Danish and the Dutch colonies in the West Indies could all claim the same privileges under treaties which entitled those countries to the advantages of the most favoured nation. I believe, therefore, that when we once consented to admit foreign sugar of any description, there was no country in the world, except

Brazil, whose slave-grown sugar could be excluded. It was obviously absurd, therefore, to attempt to pass laws for the admission of free-labour sugar only, maintaining a distinction against the produce of slavery, when such was the condition in which the country was placed by our commercial treaties. The position in which we were placed was indefensible on any rational ground: it was impossible to legislate against a single country, and it was infinitely better to do away with all exceptions, and legislate upon an uniform and intelligible principle, when we could no longer maintain the exclusion of sugar from the greater part of those countries in which it is produced by slave labour. It seems to me, therefore, that any question of slavery and of dealing with slave-grown sugar, differently from other sugar, on the ground of its being the produce of slave labour, must be omitted from the present discussion; and the point upon which we have to decide, is simply protection or no protection.

We are called upon now to determine whether we are prepared to re-enact a system of protection which will impose a heavy and what I consider to be an unjust tax upon the consumer. The protection asked for by the West Indian body is 10*l.* per ton. The object is distinctly and avowedly to enhance the price of sugar, and to make it 10*l.* per ton dearer to the consumer. No persons can state their case more fairly than the West Indians have done; they consider themselves entitled to this premium of 10*l.* per ton at the expense of the consumers. Nor would this amount to any inconsiderable sum. The number of tons entered for home consumption in the last year was 290,000. The increase of price, therefore, would have been 2,900,000*l.* Taking the quantity of sugar consumed annually in England in round numbers at 300,000 tons, the increased tax upon the community from this source, would be no less than 3,000,000*l.* annually. This estimate is not one which I alone have formed. Mr. Porter, in his *Progress of the Nation*, states that the increased cost to the country from protecting duties on sugar in the year 1840, putting it however as an extreme case, was 5,000,000*l.* The author of the pamphlet to which I have already referred enters into a calculation to show the additional cost of sugar to this country, above what it would have been if the importation of slave-grown produce had been permitted. He calculates that in the five years preceding 1844, we paid on an average 3,200,000*l.* yearly more for our sugar than we should have done, if there had been no protecting duty—16,000,000*l.* n the course of the five years. This is no slight burden upon the community; and before we consent to impose it we may well pause, and inquire what the grounds are upon which the West Indians propose to maintain their claim. There is one objection which, as Chancellor of the Exchequer, I may be excused in making—and that is the loss to the revenue which would result from the imposition of a protecting duty. A protecting duty is invariably injurious to the revenue. It is most objectionable, as taking so much more from the consumer than it produces to the Exchequer. A protecting duty is a clear loss and no gain. I objected on this ground to the scale of differential duties, which were contained in the Tariff of 1842, which have since been so wisely abandoned; and I have frequently pointed out on former occasions the evils of duties of this class. The only duties with which, since the present Government came into office, I have had to deal, have been dealt with on what I believe to be sounder principles, namely, by reducing differential duties; and I am happy to say that, whilst the result has reduced the price to the consumer, it has at the same time added largely to the revenue. It is a remarkable and satisfactory circumstance, that at a time when almost all the other duties have fallen off, those upon sugar, molasses, and rum, have experienced a considerable increase. In 1845 the produce of the duties on sugar and molasses amounted to 3,745,000*l.*; in 1846 to 4,050,000*l.*; and in 1847, great as was the depression in all branches of our commerce, those duties have produced 4,596,000*l.* With regard to the question of protection, I think it must be taken as I have seen it stated in some of the publications which have appeared upon the subject; and that we must simply decide whether we are prepared to continue in the course which for some years we have pursued, or to revert to the former system of protective duties. The claim for protection put forth by the West Indians is, after all, the same as that which is put forward by the farmer in this country. The West Indian asks for protection in order to enable him to compete with the cheaper produce of Cuba and Brazil. The farmer asks for protection in order that his produce may compete with the cheaper corn of the United States. They both advise the imposition of a heavy tax on the people for their own especial

benefit. Her Majesty's Government cannot admit any such proposition. They consider that taxes should be levied for the purposes of revenue alone; and that to impose a tax for the purpose of enhancing the price to the consumer, is a policy based on erroneous principles. I am ready to admit, that, in removing protection, parties should be considerately dealt with; but the colonies have no right to complain of the sudden withdrawal of protection. It was diminished in 1844; it was diminished again in 1846; but it will not be finally withdrawn until 1851—no less than eighteen years after the passing of the Slave Emancipation Act. In the discussions of 1846, the wisdom of abolishing protection was admitted. The right hon. Baronet the Member for Tamworth said that the principle of permanent protection could not be maintained. The hon. Member for Leominster, the eloquent advocate for the West Indians, was for free trade; he would give free trade for as well as against the West Indians; he objected to the scale of duties; he thought that the protection should have been higher and for a shorter period; but he made no objection to the main principle of the Bill. No amendment of the scale was suggested, and the measure passed into law. Her Majesty's Ministers feel that any interference with that law would now be exceedingly mischievous, and they are not prepared to consent to any alteration whatever in its provisions.

I will now apply myself to some of the other questions which my noble Friend has raised, and take notice, at the same time, of some of the points upon which the West Indian interest is entitled to consideration. I find by the papers laid before the Board of Trade by the West Indians in 1830, that they estimated the restrictions to which they were then subjected as a charge to the amount of 5*s.* 6¾*d.* upon every hundredweight of sugar. On looking back to what these restrictions were, I find them thus stated: the first of the disadvantages to which they referred, was the necessity of obtaining their supply of lumber and provisions from the North American provinces. This has been entirely removed. The second restriction consisted in the differential duties on foreign goods imported into the islands for the benefit of the English producer: these duties the various colonies were empowered themselves to remove if they chose, by an Act passed at the end of the Session of 1846. The third disadvantage is that arising from the navigation laws. The noble Lord states that the repeal of those laws will be of no advantage to the colonies; but the House of Assembly in Jamaica have attached the greatest importance to it. Without entering at any length into that question, I may state that it is the intention of Her Majesty's Government to propose such an alteration of the navigation laws as will remove that ground of objection, and put an end to any disadvantage to the West Indians arising from that source. The next disadvantage complained of on the part of the West Indians was, that their produce, which consists principally of sugar, was not freely admitted into the breweries and distilleries of this country. That cause of complaint has, I conceive, been substantially removed by the Act of last Session. The admission of sugar for these purposes has by no means been inoperative; and although the recent fall in the price of barley has checked the consumption of sugar for these purposes, yet a considerable quantity has been used both in breweries and distilleries in the course of last year. The sugar used in brewing amounted to 72,364 cwt., and that used in distillation to 20,632, making together 92,996 cwt., being equal to 52,078 quarters of malt. The fourth cause of complaint was the high differential duty on rum for the protection of British spirits. By the Acts of 1846 and 1847, I have reduced this duty one half—viz., from 1*s.* 6*d.* to 9*d.* I need scarcely remind the House that rum forms an important portion of the produce of the West Indies. Now, what have been the quantities of that article imported into this country during the last three years? In 1845, it was 2,496,000 gallons; in 1846, the importation amounted to 2,653,000 gallons; and in 1847 it had further increased to 3,329,000 gallons. The greatest increase, of course, has been in Scotland and in Ireland, where the former rates of duty were nearly prohibitory. In Scotland, the importation has increased from 49,264 gallons to 382,888 gallons; and in Ireland from 14,598 gallons to 176,637 gallons. I am happy also in being able to state, that, as far as I have been able to learn, the distillers in neither of those countries complain of having been in any way injured. I refer with pleasure to these facts as proofs of the advantages of the measures which have been passed for reducing the differential duty upon rum to 9*d.*, both to the consumer and to the West Indian producer.

The opinion which I individually expressed last year that a differential duty of 6*d.* would fairly meet the justice of the case, remains unchanged; and I was glad to hear

from what fell from the noble Lord that he is prepared to go fairly into that question. I now come to the last disadvantage complained of—the want of a sufficient supply of labour; and the statement which I am about to make, will, I think, show that, in the last twelve years, a very great amount of active and useful labour has been introduced into the West Indies, and that the immigration has been very extensive. The number of efficient slaves for agricultural purposes in the Mauritius at the time of emancipation was 28,000 — since then, 63,000 immigrants have been received; and although the colonists do not estimate their labour very highly, they reckon the increase of agricultural labour which they have received as equal to that of 23,000 good labourers; so that even upon this estimate the amount of labour in the Mauritius has not been far from doubled since the emancipation; and the quantity of sugar exported has, up to 1846, been increased nearly in the same proportion. In Jamaica there have been introduced 8,500 free labourers, and 3,000 liberated Africans, making 11,500 in all. In British Guiana, where the number of slaves before the emancipation was 90,000, there have been introduced 33,853 free labourers, and 6,180 liberated Africans, being 40,000 in all, equal to an addition of nearly one half of the previous amount of labour. In Trinidad, where the amount of slaves before the emancipation was 24,000, there have been introduced 17,788 free labourers, and 3,186 liberated Africans—so that in this colony the number of labourers has been nearly doubled. Although I am ready to admit that the supply of labour is still inadequate, I must say that its insufficiency has been greatly overstated. In three out of four of these colonies, there has been a very large amount of immigrants. In Jamaica the increased supply of labour has not been so large; but I am inclined to think that the alleged necessity for additional manual labour is a good deal exaggerated, and that it would be far more advantageous to the proprietors to turn their attention to various modes of economising labour, and of improving their mills and the process of the manufacture of sugar. From what I have said it will be evident to the House that very little indeed will remain of those restrictions, the charge of which was estimated at no less than 5*s.* 6¾*d.*, and which were put forward as giving a claim to protection in 1830, and that a good deal has been done towards supplying that want of labour, the necessity for which arose from the measure of 1833.

I come now to those questions, some of which have been mentioned by the noble Lord opposite, and which are pressed for by the West Indians, as tending in various ways to their relief; and I will state what the Government is prepared to do, and why they cannot go farther. The first request is for the admission of molasses into breweries and distilleries: we cannot consent to admit molasses into breweries. The noble Lord has very properly said that the admission of molasses is entirely a question between the revenue and the manufacturer. As the law now stands, malt and sugar, which are the materials of brewing, both pay duty before they are admitted into the brewery: the duty on each is about equal; and it is therefore a matter of indifference to the revenue which is used. Molasses, I am given to understand, possess comparatively higher brewing qualities than sugar, but they pay a much lower duty. It would be impossible, therefore, to allow their use in breweries without entailing a serious loss on the revenue: the loss upon every quarter of malt displaced by the use of molasses would be about 8*s.* 6*d.* The only mode of preventing this loss would be to impose an excise duty in addition upon the molasses used in breweries, which would create an opening to fraud, entail a necessity for establishing a rigorous survey on breweries, and would render the boon of little value to the West Indians. With regard to distilleries, the case is different: the duty is not levied until the spirit is produced. I stated last year that if further experience would warrant such a step, I should be glad to extend the permission for the use of molasses in distilleries; and after the experience of the last few months the Excise see no difficulty in doing so. I shall immediately ask leave to introduce a Bill for the purpose of admitting the use of molasses into distilleries, on terms similar to those which now apply to sugar. In one respect, I can carry the permission even further, for I am prepared to allow molasses to be used jointly with grain. The next request is the admission of cane juice. An application was made to me last year to permit the admission of all cane juice at a fixed duty. I, of course, had no objection to the admission of cane juice, provided I obtained a duty upon it, equivalent to that which it would have paid if imported in the separate shapes of sugar and molasses. The only difficulty was to ascertain what this duty should be; and the means of forming an opinion were very insufficient. We asked the parties who made the application

to furnish us with a sample of cane juice, in order that we might ascertain the proportions of sugar and molasses contained in it. It was not without some difficulty that even a small quantity was obtained. This was analysed, and the result was that the proportions of sugar and molasses were such as to render the hundredweight of cane juice liable to a duty of about 11*s.* 4*d.* I named a duty in accordance with that calculation. A remonstrance was immediately made against so high a duty, and I was pressed to name a much lower sum: my answer was, that I had no means of coming to a conclusion, except from the result of this examination, and that I could not therefore name a lower duty than it warranted; but that if upon further inquiry or experiments it could be shown that this amount was too high, I should be ready to give the subject my best consideration; that I evidently ought to have a duty equal to that which would be paid in the separate shapes of sugar and molasses; and that I should be quite content with such duty on cane juice as it could be shown would attain this end.

The next question to be considered is that of a further supply of labour. The present supply of labour to the West Indian colonies, arises from two sources, partly from free immigration, and partly from the importation of those slaves who have been liberated from captured slave vessels. I believe that the immigration of Coolies has not answered; but I have every reason to believe that a system of free immigration from the opposite coast of Africa may be found successful. I believe a valuable supply of labour may be obtained from the Kroo coast. I have been informed that many Kroomen have returned to their own country, taking with them large sums of money earned by their labour in the West Indies. The account which they have given to their countrymen of their mode of labour in the West Indies has induced many others to go there in search of similar employment: others now in the West Indies have declined the offer of a passage home. There seems also to be reason for supposing that from Cape Coast Castle and other places, a further supply of labourers may be obtained. This immigration is at present provided for by means of loans raised in the various colonies for the purpose. We found this system established when we came into office. It had been sanctioned both by Lord Stanley and Mr. Gladstone; and although my noble Friend the Secretary of State for the Colonial Department might not perhaps have sanctioned the establishment of such a system, he did not, for many reasons, think it expedient to interfere with a system which he found already in operation. Arrangements for obtaining immigrants to a certain extent had been made on the faith of the money to be obtained by these loans, and the immigration is in fact now in progress: but with respect to two colonies, Guiana and Trinidad, they have been unable during the last year to raise their loans; their legislatures have passed the necessary Acts, but although advertisements have been issued for the loans in this country, and on very adequate terms, no offers have been received. I think it therefore only right, that in their present state of distress, this country should step in to assist them, and that a sum of money sufficient to cover their present liabilities and to provide for some further immigration, should be advanced to them. Some parties have recommended that the colonists should be permitted to buy the slaves who are for sale on the coast of Africa, who should be afterwards set free on their arrival in the West Indies; but we cannot entertain such a proposition as that, which would obviously encourage all those horrors of the slave trade which occur previously to the embarkation of the slaves. We must have sufficient security that the persons coming from Africa are freemen. With that proviso we are ready to give every facility to their being introduced, and we will recommend an advance not exceeding in the whole 200,000*l.* to the colonies for that object. The other source of supply of labour, is from the liberated Africans who have been taken on board slavers. Those set free at Rio, at St. Helena, and the Havannah, are already brought to the West Indies, but entirely at the expense of the colonists. We propose, in the present distressed state of the West Indians, to take upon ourselves nearly the whole of the expense of conveying them there. We propose to leave a portion to be paid by the colonies, as their willingness to contribute some part of the expense is the best test of there being a real demand for the labour. The great body of the liberated slaves are, however, set free at Sierra Leone, and latterly many have gone from thence to the West Indies. I believe that the number removed to the West Indies might be considerably increased. My hon. Friend the Member for Montrose, so long ago as the year 1830, moved for a Committee for the purpose of inquiring into the condition of those blacks at Sierra Leone. I had

the honour to be a Member of that Committee; and it was stated in a part of their report, in the year 1830, long before the want of labour in the West Indies, which has since been so much complained of, was felt as it is now, that—

"It is the opinion of the Committee that the progress of the liberated Africans in moral and industrial habits has been greatly retarded by the frequent change of system in their location and maintenance, and by the yearly influx of thousands of their rude and uncivilised countrymen; and it therefore appears absolutely necessary for the future prosperity of the liberated Africans already located, that one uniform system should be pursued towards them, and that a check should be put upon the influx of their captured brethren."

It would seem from further information, that, for the benefit of the colony of Sierra Leone itself, a large portion of the population of it might advantageously be removed to some other settlement. The conclusion Dr. Madden came to was, either that the territory required to be enlarged, or a large portion of the population to be removed to some other settlement, with more advantages for agricultural pursuits. It was also stated by Mr. Hamilton, in his evidence already printed, that 20,000 Africans might be removed, with advantage to the colony, which was positively retrograding. It appears, therefore, that the system of locating liberated Africans holds out no prospect of beneficial results; and I believe that, with great benefit to Sierra Leone, to the liberated Africans themselves, and to the other colonies, they might be removed. They constantly relapse into barbarism when left at Sierra Leone, and have not unfrequently been kidnapped again. In this case also we are prepared to take upon ourselves nearly the whole of the expense of removing them.

On another subject representations have recently been made to Her Majesty's Government, that considerable relief might be afforded to the West Indians in their present state of distress, by postponing the repayment of the loans which are ordinarily known by the name of the Hurricane Loans. We have agreed to postpone for a period of five years the repayment of any of the instalments of these loans, interest, of course, being paid upon them during that time. I may perhaps mention here that we received some short time ago a memorial from the island of Tobago, setting forth the distress under which the inhabitants were suffering in consequence of the recent hurricane, and praying for relief. We immediately authorised the issue of a sum to meet immediate wants, and are prepared to make a loan, as has been done on former occasions, to enable the inhabitants to repair the loss of their property caused by this calamity, as soon as we have sufficient estimates to enable us to judge of the necessary amount. These, then, are the measures which we propose with a view of rendering some assistance to the West Indian interest. To permit the unrestricted use of molasses in distilleries—to admit cane juice at a proper rate of duty—to bear nearly the whole expense of conveying the liberated Africans to the colonies—to aid the colonies by loans not exceeding 200,000*l.* towards the expense of introducing free labourers from Africa—and to postpone the repayments of the Hurricane Loan. I cannot say that I am sanguine enough to believe that they will satisfy the wishes and demands of the West Indian proprietors; and if I am asked whether I think they will be sufficient to restore the colonies to a condition of prosperity, I will at once answer that I think they will not. The colonies require improvement in many ways. They require improved systems of agriculture, improved cultivation of the sugar estates, and improved modes of manufacture. The right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone) said some years ago, in the course of a debate on the question of the admission of free-labour sugar, that—

"With respect to the West India colonies, he did not believe it would be in the power of the Legislature to bring them into a sound and healthy state of cultivation, even if the duties that existed before the year 1844 were to be continued for twenty years. New modes of cultivation should be introduced, new systems of management must be adopted, and a resident should be substituted for an absentee proprietary."

I believe that that right hon. Gentleman truly stated the first and main desideratum for the improvement of the West India colonies. What they want is greater activity, improvement in the mode of cultivation, better machinery, and a better system of manufacturing the produce. Without these, no great improvement in the condition of the West India colonies can be effected. So far am I from attributing much of the distress under which they are suffering to the Act of 1846, that I think it is very much owing to their having relied too much upon the system of protection, and that the effect of this feeling has been, the want of the necessary self-reliance and energy. It seems to me

to be clear that the high rate of wages in recent years has been very much owing to the disposition on the part of the proprietors to bid against each other for labourers, which was encouraged by the high price of sugar in those years, owing to the protection which they enjoyed. I find that in the island of St. Kitt's, for instance, the wages of labourers in the year 1838 were 6*d.* a day; in 1839, 8½*d.*; but in 1841 they had been raised to 1*s.* 0½*d.* The amount of work to be performed for those wages was afterwards reduced, which amounts to the same thing as an increase of wages. But within the last two or three months the task has been again increased so as to bring the rate of wages to about what they were in 1839. The same thing has taken place in other islands. In a despatch, which we received yesterday from the Governor of Antigua, it is stated, that—

"The wages of field work have within the last month fallen from 10*d.* and 1*s.* to 6*d.* and 8*d.* sterling per day, and the price of task or job work has been proportionably diminished. In some cases the latter has been entirely discontinued, which seems injudicious, as tending to check instead of to foster habits of industry, and to hinder those who are willing to devote the whole of their time to working on estates, making the most of their labour."

The low price of sugar has tended to lower the rate of wages, and thus to remove one of the chief difficulties which at present attend the cultivation of West Indian estates. This in some respects might be regretted if it pressed unduly on the condition of the negro; but such is not the case. It is well known that with very little labour the negroes have had the command of all the necessary comforts and even luxuries of life; and that, by working for a longer period of time, they will still be able to earn the same amount as before, and to obtain their usual indulgences. This also appears in the despatch of the Governor of Antigua, which proceeds—

"Nor is it apprehended that by this unavoidable measure (the reduction of wages) the working classes will be subjected to any serious deprivations; for as there is reason to suppose that at the higher rates, by working three days in the week, they were enabled to support themselves and families in ease and comfort, it is anticipated that at the lower rates, by giving their labour more freely and continuously, they may accomplish the same object."

It is very satisfactory to find that this has been done with the concurrence of all classes, and especially of the negroes themselves, who have submitted cheerfully to the reduction, only expressing a hope that when times mend they may be partakers in the improvement. They are also proposing in the island of Antigua to reduce the import duties, and to substitute for them a land tax. I believe this to be a very wise course. Hon. Gentlemen may remember that my noble Friend (Lord Grey), in urging the immediate abolition of slavery in 1833, proposed at the same time a tax on provision grounds, which was then rejected by the West Indians, although I believe that many of them have since regretted that that course was not followed. I find also that in an able pamphlet, published by Mr. Scotland, a Member of the House of Assembly in Jamaica, he recommends for that island a change in the system of taxation similar to what is proposed in Antigua. The result of such a change would obviously be to lower the price of those articles which the negroes obtain by purchase, and to diminish the advantage of working upon their own grounds. This will be a great inducement to them to work more steadily on the sugar estates, by which they will obtain, from the money wages which they earn, the means of purchasing the articles which they require.

Referring again to the want of improvement in cultivation, I will quote the opinion of the author of the pamphlet which I have before mentioned — *The Ministry and the Sugar Duties* — who says, in 1844—

"While the physical force thus became dear from emancipation, management did not become cheap, nor mind active and fertile: it is probably too near the truth to say that, at this moment, in the cultivation of West Indian estates, the special charges of slavery have remained, while the special charges of freedom have supervened upon them."

He goes on to state that many things remain much in the same state as they were many years before. Now, let us look at our own country: in what state should we be if our agriculture had not been improved since the high prices of the war? But the West Indians very properly disclaim being considered merely as agriculturists; and, indeed, much of the process of producing sugar resembles manufacture much more than agriculture. What, again, would have become of our manufactures if there had been no improvement within the last twenty years? I believe there is not a single piece of machinery in any of our mills or factories which has not undergone considerable improvement within that period. In the evidence given by Mr. Price before the

House of Assembly in Jamaica, we again find that he states most distinctly that almost every process was carried on as it had been formerly, and that there was a total want of energy amongst the planters. Again, I find the same statement in a book by Dr. Evans, called *The Sugar Planter's Manual*. He states that improvement is excessively slow; that there is hardly a department in which improvement could not be made and is not wanted. Hon. Gentlemen will remember that in former years the question has arisen between the producers of East Indian and West Indian sugar as to the intermediate duty on what is called white clayed sugar; and what is the ground of difference? The East Indians complain that this differential duty is a discouragement to the improved machinery and improved process of manufacture which they have introduced. The West Indians, on the other hand, require the duty as a protection to the low-priced sugar produced by their inferior manufacture. Surely, Sir, stronger evidence cannot be adduced of the necessity for improvement in the West Indies. I cannot, therefore, admit that the present losses and distresses of the West Indian proprietors are to be attributed to the Act of 1846, to the admission of foreign slave-grown sugar, or to the doctrines of free trade. The Committee of the House of Assembly of Jamaica attribute their misfortunes not to the Act of 1846, but to the Emancipation Act of 1833: their report states that since the passing of that Act, of the 653 sugar estates then in cultivation in that island, 140 have been abandoned, and the work broken up. This is a most melancholy account; but such accounts are not confined to times since the emancipation of the negroes, or the absence of adequate protection. On going back to the time not only of slavery, but of the unmitigated slave trade, I find in Bryan Edwards' History of the West Indies the following description of those colonies:

"In the course of twenty years, ending 1791, the planters of Jamaica (however profitably employed in the service of the mother country, were labouring to little purpose to themselves; it appeared that no less than 177 sugar plantations had been sold during that period for the payment of debts; that 55 had been abandoned by the proprietors; and that 92 others remained in the hands of creditors."

This account is much the same as that of the Committee of 1847. They were no better, it seems, in 1804, whilst the slave trade was yet in vigour. Lord Stanley, in 1833, quoted the report of the Assembly of Jamaica in 1804, which stated that—

"Every British merchant holding securities on real estate, is filing bills in Chancery to foreclose, although when he has obtained a decree he hesitates to enforce it, because he must himself become proprietor of the plantations, of which, from fatal experience, he knows the consequences.

"Sheriffs' officers and collectors of internal taxes are everywhere offering for sale the property of indiduals who have seen better days, and now must view their effects purchased for half their real value, and less than half their original cost. Far from having the reversion expected, the creditor is often not satisfied."

In 1807 they were in much the same state. In 1811 the petition of the House of Assembly of Jamaica stated that—

"The ruin of the original possessors has been gradually completed; estate after estate has passed into the hands of mortagees and creditors absent from the island, until there are large districts—whole parishes—in which there is not a single proprietor of a sugar plantation resident."

And it goes on to say that a large proportion of the proprietors

—"now see approaching the lowest state of human misery—absolute want to their families, the horrors of a gaol to themselves."

In 1832 a Committee of the House of Commons reported as follows:—

"The case submitted to them in these papers is one of severe distress affecting the proprietors of the soil. Your Committee have received abundant evidence of the distress which is said to have existed, in a considerable degree, for ten or twelve years past, and to have been greatly aggravated within the last three or four. In concluding their consideration of the causes of the depressed state of the West Indian colonists, your Committee have not forgotten that their depression has existed in former times, and at periods anterior to the abolition of the slave trade. To one of these periods their attention has been specially called by the reference of the report of the Committee of 1807, whence it appears that during the late war, and while still supplied with slaves from Africa, the planters complained of inadequate returns and of unequal competition in foreign markets. These results were then ascribed to the circumstances of the war, which has long ceased, and which were necessarily independent of the causes now alleged."

Again in 1844—two years before the Act of 1846—the Agent for the Island of Jamaica represented that

—"in almost every district the progress towards abandonment is manifest; the returns of the custodes and magistrates authenticate cases most distressing, of ruin perfected, and peril impending."

This was the state of these colonies in 1791, in 1804, in 1807, in 1811, in 1832, and in 1844; and the same state of depreciation existed at those periods which is

now attributed exclusively to the foreign competition introduced by the Act of 1846. It is, however, impossible to believe that these effects have been solely caused by that Act, when we find the same state of distress existing, not only when there was no foreign competition, but when no want of slave labour could be complained of. We must look to some other cause which prevailed during these other periods; and I am afraid that the want of exertion, owing to the reliance of the planters on protection, has contributed to produce those evils, which we now hear attributed to other causes.

With regard to the future prospects of the West Indies, I confess that for my part I do not see any reason why the cultivation of these colonies should not be continued, notwithstanding their present depressed state, because I find that distress prevails not only among the plantations of our West India colonies, but that the same distress exists in countries where slave labour is prevalent. I find that in Cuba the older race of planters are overwhelmed with debt; that the old plantations cannot be sold; that the only plantations which in Cuba are flourishing are new plantations, established and conducted by new proprietors, and on a new and improved system of management; and that money cannot be borrowed there under 12 per cent. I find that the produce of the West Indian colonies, as stated in the report of the West India Committee, is actually larger per acre than that of Cuba or Java. In Cuba the produce is but 1,200 lbs. per acre; in Java, 1,900 lbs. per acre; in the Mauritius it is 2,000 lbs. per acre; in Jamaica, 2,000 lbs.; in Antigua, 3,000 lbs.; and in Barbadoes, 3,000 lbs. per acre.

Surely, Sir, this is encouraging, both as to the fertility of our own colonies, and as showing that the difficulties of sugar cultivation upon the old-fashioned system are not confined to those places from whence slave labour is excluded. But, independently of this consideration, I believe it will be found that there is strong testimony to prove that free labour may be as cheap as slave labour. Considering that the harder portions of labour in Trinidad were performed by free labour even in times of slavery, and that such labour was found to be more economical than slave labour even at that time, I think there can be but little doubt on this point as to the present period. I find it stated in a pamphlet which I hold in my hand, written by Mr. Jelley of Jamaica, that in the time of slavery the expense of cultivation where gangs were hired was for cane-hole digging from 4*l.* 10*s.* to 5*l.* 8*s.* per acre, whereas now it is no more than from 2*l.* 14*s.* to 3*l.* 2*s.* per acre; while for cutting down and clearing heavy wood-lands the expense was in the time of slavery from 6*l.* to 8*l.*, though at present it does not exceed from 2*l.* 10*s.* to 3*l.* 8*s.*, and most of the field work in the same proportion. Mr. Scotland, who is a Member of the House of Assembly in Jamaica, says that the cost of slave labour is dearer than that of free labour. In Cuba the slave labourer, he says, costs 15*l.* 16*s.* per year on an average; whereas the payment of 1*s.* a day wages for all the working days in the year in Jamaica is 15*l.*, leaving a difference of 16*s.* in favour of the free labourer. He goes on to state, that the system of management is the cause of the distress which prevails in Jamaica; and he contrasts the resident Cuba proprietor with the absentee proprietor.

LORD G. BENTINCK: From what are you quoting these opinions?

The CHANCELLOR OF THE EXCHEQUER: I quote from the pamphlet of Mr. Scotland. He says—

"Contrast the resident Cuba proprietor with the Jamaica absentee proprietor, the one a practised planter, skilled in the cultivation of his estates, and on the spot to correct all abuses, and regulate, with prudent care and management, the contingencies of his property, with a strict regard to economy; the other living in a far distant country, an alien to his estates, perhaps in the hands of an usurious mortgagee—perhaps, as in some cases, plundered by an avaricious and unprincipled attorney, and only served faithfully by a hard-working overseer, or a humble bookkeeper, badly and indifferently paid. Can any one wonder that a Jamaica property thus burdened and thus mismanaged cannot compete with a Cuban or a Brazilian sugar estate? Reader, wonder no longer. If I speak not the truth, confute me—you shall then have the facts."

But there is one more instance to which I wish to allude on this subject, and that is the evidence given by Mr. Price, before a Committee of the House of Assembly in Jamaica, as to his own management of an estate in that island. What is the fact, as regards Mr. Price, on whose authority it has been attempted to throw some doubt? He went out some few years ago as the manager of an estate in the West Indies. He improved within three years the produce of that estate most materially. The persons for whom he managed it were, however, dis-

satisfied with him. They recalled him, and he came home to this country; but, on a full investigation of what had taken place under his management they were so satisfied with all he had done, that he has gone out again to undertake the care of the property. I will read the questions and answers :—

"What crops have been made on Worthy Park during the last three years?—In the year 1843, 190 hogsheads; in 1844, 200 hogsheads; and since the 15th of March, in the present year, 400 hogsheads. The estimate for next crop is very nearly 700 tons. There was a mechanical difficulty in the estate this year, which has thrown a large proportion of the present crop into the next.

"What other machinery is in use to economise manual labour?—On Worthy Park a tramway was laid down for the purpose, at an expense of 300*l.* per mile. It was said to be impracticable by my predecessor to make a crop of 400 hogsheads. 8 wains, 16 persons, and not less than 150 head of cattle, were considered necessary. The use of a tramway has economised not less than 12 of these labourers, and 142 head of cattle, and has further economised 10 hands that were employed to carry the canes to the mills; 14 persons were employed to carry away the green trash. Another tramway reduced this number to two, and sometimes to three hands. Horse hoes and small ploughs are used occasionally, but not to any great extent.

"What are the circumstances that induced you to incur so heavy an expenditure for machinery?—I felt convinced, in the first place, that there would be a reduction in the protecting duties. I concluded that whatever amount of labour I was employing for any certain purpose, required the same amount of labour in a slave country. I calculated the expense that was incurred by the slave-owner, and I calculated that if I could accomplish the same purpose, by an investment, even to an equal amount in value of slaves, in simple machinery, subject to very trifling wear and tear, I should always be able to produce sugar cheaper than the slaveholder could. It was also in consequence of the general complaint in the country of a want of labour, which could only be overcome by the introduction of machinery."

This evidence seems to me very strong as to the economy of labour which may be introduced; and I cannot but think that the permanent interests of the planters would be better consulted by improvements of this description than by the mere importation of additional labour.

In considering the question of the comparative value of slave and free labour, it is well worth our while to advert to what is passing in a neighbouring country. In the French West Indian colonies they have still slave labour as in former years; but instead of being able to compete with the beet-root sugar grown by free labour in France, they require protection for their sugar grown in a climate better fitted than any other for producing sugar, and on estates cultivated by slave labour. In 1843, a law was passed in France imposing a duty on beet-root sugar rising at the rate of 5 francs per kilogram, in each year; until in August 1848 the duty will be equal to that on colonial sugar. I find, on turning to Mr. M'Culloch's *Commercial Dictionary* of 1844, that the effect which was anticipated from this arrangement was that the beet-root manufacture must ultimately be destroyed—that it would be annihilated in France as effectually as if the plantations were all rooted up. So far, however, from the growth of beet-root in France being destroyed, the production of beet-root sugar has increased in the most remarkable manner. The cheap slave-grown sugar of the French colonies cannot compete with the free-grown sugar of France; and the French colonial slave-owning sugar growers are now making representations to the French Government, that they can no longer maintain their ground against the free-grown beet-root sugar of the mother country. It is, I think, therefore, hard to say that the inability to compete with slave-grown sugar is owing simply to the circumstance of free labour only being permitted in our colonies; when we find the position in which the French colonies are placed when subjected to the competition of free labour in France. I believe the difference between improved and imperfect cultivation, and the introduction of superior modes of manufacture, enter largely into the result; and yet, strange to say, the French colonies manufacture their sugar more advantageously than our colonies do. They extract a larger amount of sugar from the cane than we do; and this is owing to the application of superior science and machinery. There is, I believe, great room for improvement in the construction of the mills. I find Mr. Evans stating, in the pamphlet from which I have already quoted on the manufacture of sugar, that he believes a very slight improvement will extract from 100lbs. of cane 20lbs. more cane juice than is usually extracted. In our colonies 50lbs. of juice is, I believe, on the average, extracted from every 100lbs. of cane; but mills have been sent to Cuba, to the Isle of Bourbon, and also to the Mauritius, by means of which they extract 70lbs. of juice from 100lbs. of cane. I am inclined, therefore, to believe from reference to these admitted facts, that the produce of free labour may by a proper

process be rendered as cheap as that of slave labour. I will not trouble the House any longer on this matter than by quoting the words with which Dr. Evans sums up his work. He says—

"Were a system of husbandry continued in the British colonies similar to the one pursued during slavery, I admit that slave labour would prove to be the cheaper of the two; but were a proper and economical method, similar to what we see in Great Britain and many other countries, substituted for the barbarous employment of the hand here, the reverse, I apprehend, would be found to the case. Wherever slavery exists, its numerical force must be adequate to all the calls that may be made upon it at any one time. Thus, if 300 labourers are required during crop, this number must be retained throughout the whole year; and if they are to be fed, clothed, and housed, economy demands that employment shall be found for them, and this necessarily implies the continuance of the system now in force in those countries. In every other respect the British planter has unquestionable advantages over his foreign competitor."

My own opinion is, that free labour may be made to compete successfully with slave labour; and when proper and necessary improvements are carried out throughout the West Indies, as elsewhere, I trust that they may still be maintained advantageously as sugar-producing colonies, and that under a different system of management, and perhaps a resident proprietary, they may exist in a comparative state of prosperity, and be the principal source of the supply of our sugars. I hope that I am not too sanguine in anticipating that this may be the case; and I will say for Her Majesty's Government that if any mode can be pointed out, by which the interests of those colonies can be advanced, consistently with sound commercial principles, we shall be perfectly ready to promote it. But we are not prepared to restore a system of protection which we believe to have been detrimental to the colonies themselves, and most injurious to the interests of the people of this country.

Mr. ROBINSON said, that the object of his rising was to state that, differing as he did altogether from the Government on this question, he nevertheless gave them credit for the statement which had been made by the right hon. Gentleman the Chancellor of the Exchequer, that, in consenting to this Committee, they would be no party to any delusion respecting any intention to depart from the Bill of 1846. The sooner, in his opinion, that determination on the part of the Government was known the better; as well as that the West Indians should know that they were not to have any other relief than that which had been mentioned that evening by the right hon. Gentleman, in order that they might prepare for that which they felt must eventually come—viz., their ruin, and perhaps the ultimate loss of the West India colonies. He had no personal interest in the question. He considered that it was part of the great question as to the employment of labour through the agency of capital. He did not take up the West India question as an isolated one; because he was one of those who considered that the West Indies were not more entitled to protection than the agriculturists, who had been deprived of it; and though he should feel it to be his duty to oppose to the extent of his ability any removal of the protection of the navigation laws from the shipping interest, still he maintained that that interest also had not any greater right to protection than had the agricultural interest of Great Britain. He confessed he little dreamed when, some years ago, he was a Member of that House, and a willing and rejoicing party, with the great men that brought forward the question, to the abolition of slavery—he little dreamed that the time would come when he should ever sit in that House, as he now did, and witness those very parties who had formerly brought forward the glorious measure of the emancipation of the negroes, stand up as the advocates of the admission of the slave-grown sugar of other colonies into competition with sugar grown in their own free-labour possessions. The Chancellor of the Exchequer admitted that there was great distress in the West Indian colonies; but the right hon. Gentleman seemed full of hope, that, after what he proposed should have been carried out, and if endeavours were made to improve the system of culture, the West Indians would be able to bear this competition with slave-grown produce; but let him ask him how, if it should turn out that they could not do so, the case would be when the differential duty between the produce of their own and that of the slave-labour colonies would have ceased? The right hon. Gentleman and his noble Friend must know perfectly well that the effect of this Bill would be to open the British market freely to competition from all parts of the world, without any protecting duty whatever in favour of the British colonies; and which, he contended, must at the same time be in favour of the mother country: the necessary consequence must be, that a great proportion of the sugars

to be consumed in Great Britain would be the produce of foreign countries. But the policy of the Government up to this time had been, to afford protection to our colonies, and not to leave them altogether to the fate of foreigners; a policy which, in his opinion, had been most beneficial to Great Britain and her dependencies. If the right hon. Gentleman and the noble Lord at the head of the Government were bent hereafter on adopting the principles of free trade as regarded the colonies, facts which must be much stronger than any arguments which he (Mr. Robinson) could offer, would very soon prove that they had adopted a most dangerous and ruinous measure. He should like to ask the noble Lord, when other countries had reaped the advantages of the free-trade folly, and were better enabled, as they would be every succeeding year, to render themselves not only independent of us, but to compete with us in other markets—he would ask the noble Lord, when his eyes were opened to the necessity of retracing his steps, whether it would be as easy to do so then as now; and whether he did not think it more prudent to pause now for a moment on the ruinous policy on which his Government seemed determined upon entering? The right hon. Gentleman the Chancellor of the Exchequer might be inclined to ask what proposition he (Mr. Robinson) had to make on this subject? He would tell the Government he would restore protection to sugar to the extent of at least 10*s.* per cwt. on behalf of our own colonies, and against the sugars of foreign countries; and he would, if it were possible to do so consistently with the faith of treaties and the honour of the country (and he would not do it otherwise) exclude slave-grown sugar. Why, let the House consider what a wicked thing it was—he himself thought it an iniquitous thing—after having called upon the people of this country to pay 20,000,000*l.* for the emancipation of slaves at a time when they were ground to the very earth by taxation, and after they had cheerfully submitted to the payment of that immense sum, they should ask the country's consent to propositions which would have the effect of nullifying their attempts to emancipate the slave. At the time that the call was made for the 20,000,000*l.*, he represented a large constituency; and was he reproached for having voted for the payment of that sum out of the public purse that the negro might be freed? No; not one of even the poorest of his constituents ever reproached him for having been a party to that measure; and he would take upon himself now to say, without fear of contradiction, that, although the pretext put forth, for the present measure was, that the people of this country might have cheap sugar, if they were to appeal to the whole of the country, from the richest to the poorest, they would say—"We are desirous of having cheap sugar, and cheap food of every description, because, in the present competition for employment, and depression of labour, it is absolutely necessary for the subsistence of ourselves and families; but we do not desire it if it is intended to restore the slave trade in our colonies, or to maintain it in the colonial possessions of others." Those, he believed, would be found to be the honest sentiments of the people; and he, therefore, contended that it was a mere pretext—or rather a mistake—that these measures ought to be passed in obedience to the clamour of the people for cheap sugar. He firmly believed that the people of this country would be no parties to any measure which would give any encouragement to slavery. He had no wish to detain the House any longer, although he felt most strongly on this subject, further than by saying that the Chancellor of the Exchequer deserved credit for saying frankly that, although the Government was willing to grant this Committee, yet the noble Lord must not delude himself with any false hopes that the Government intended to depart from the principles of free trade embodied in the measures of 1846. Anything less than this the Government would do for the parties desiring this Committee. He entertained the highest personal respect for the noble Lord at the head of the Government, but he could not refrain from honestly avowing that, in his opinion, the noble Lord, by these measures of free trade, was undermining the safety and greatness of the country. He (Mr. Robinson) knew how painful it was to stand up in that House and advocate principles which had become so extremely unpopular, viz., those of protection, and point, on the other hand, to the ruinous consequences that must result from those free-trade principles which the people had so readily embraced. He warned the Chancellor of the Exchequer that, although the revenue of the country might not, perhaps, immediately feel the effects of these falsely called free-trade measures, the ruinous effects would, in the course of

a short time, unmistakingly show themselves in the revenue returns; indeed, the Chancellor of the Exchequer had himself admitted, in the early part of the present Session, that there had been a defalcation in the revenue in consequence of those commercial embarrassments which had lately occurred; and although he did not admit that those embarrassments were caused in any degree by free trade, yet he admitted that the revenue was in an unsatisfactory state. And he could tell the right hon. Gentleman that the state of the revenue would become more and more embarrassed every year; and that the income-tax, which was established in a time of profound peace, and which was so unpopular when it was brought forward, must henceforth become perpetual; and not only that, but its weight, he believed, must of necessity be increased even in the present Session of Parliament, which necessity would increase every year. And he said that because there was no proper remuneration held out for the capitalist to invest his money in public works; the great body of the people were consequently without employment, and obliged to be sustained by the workhouse authorities. He verily believed that the great mass of the people of this country, who in prosperous times contributed the great bulk of the fiscal exactions, were at the present moment enduring sufferings unparalleled in the commercial history of Great Britain. And he was of opinion that that distress would continue and magnify unless the Government and the Legislature returned to the principles of protection. The West Indian proprietors, in the extremity of their distress, were now calling for a repeal of the navigation laws; the fact was, that that protection to which they were fairly entitled having been removed, they knew not to what source to apply for relief. Whatever palliatives, however, might be now adopted to remedy their grievances, must all eventually fail, unless measures were brought forward in which the colonies would be treated as integral portions of the empire. Unless this were done, his impression was that the colonies would be lost to us altogether. If they continued to maltreat them as they had of late, they might soon set about negotiating with the United States for the sale of the colonies for a slight compensation. The Canadas, Nova Scotia, New Brunswick, and the West India colonies generally, had hitherto shown the most loyal attachment to the mother country; but if these repeated assaults were made on their vital interests, we could expect but little assistance from them if a powerful enemy in that quarter declared war against Great Britain.

Mr. HUME, after the long discussion which had taken place on this most important question, did not rise to enter into its merits. He only rose to submit to the noble Lord (Lord G. Bentinck) the propriety of not pressing for the appointment of this Committee after the candid statement of the Chancellor of the Exchequer as to the intentions of the Government. The noble Lord had so framed his Motion as to include an inquiry into everything connected with the colonies. He had not defined or limited his views to any one object. But what had been the response of the Chancellor of the Exchequer? Why, he said, "I make no objection to a Committee; but I am bound to tell you that, whatever you do, we will not go beyond what I tell you;" and the right hon. Gentleman had explicitly declared what the object of the Government was. The right hon. Gentleman said that one of the most important points in the case was to let the West India interest know what they had to expect. Would not the appointment of a Committee create expectations which would not be realised? He, therefore, appealed to the noble Lord who had brought forward this Motion, with an anxious desire to relieve the distresses of those whose case he advocated. He believed the noble Lord had avoided the recital of the disastrous state of circumstances, which few were aware of. He had had the state of things in the colonies put before him, within a short period, and he considered these important interests were in most imminent danger. He therefore submitted to the noble Lord that he should not press his Motion for a Committee; but, on the explanation given by the right hon. Gentleman, cast the entire responsibility upon Her Majesty's Government. Many of the propositions of that right hon. Gentleman were good; and he was glad to hear the Chancellor of the Exchequer frankly confess that it was by no means the intention of the Government to depart from the principles of free trade in their treatment of the colonies. He believed that those principles had not yet had a fair trial in the colonies; and that, if they had, the colonies would not be in their present distressed condition. He had no hesitation in saying that free labour could compete with

slave labour under good government; but until the produce of the one was made fairly to compete with that of the other, free trade would not have had a proper trial. The right hon. Gentleman had talked about 40,000 Coolies here and 25,000 there, and asked was not that an amount equal to half the population of the whole colonies? but the right hon. Gentleman forgot to inform the House that this labour had been introduced in driblets, and only after the colonists had expended their capital, and therefore it was of little or no use. What the colonies wanted was a law to secure continuous labour, and to prevent squatting. They also wanted to be governed on general principes laid down by Parliament, and not at the caprice of an ever-changing Colonial Secretary. If they had these, and a representative government, the rest might safely be left to their own good management. As to the question of slavery, he considered that we ought rather to use, to some real practical purpose, the enormous amount of money which was granted by this country for the suppression of the slave trade on the African coast, or abandon the attempt to suppress it as useless. In his opinion the latter would be the better plan, for he was quite sure that slavery could never be put down until free-labour produce could be had cheaper than that of slave labour. That was the only remedy against slavery. The pernicious system of colonial management at home had been the principal cause of all the evil. If they were to believe the statements of the right hon. Gentleman (the Chancellor of the Exchequer) to the prejudice of those made by gentlemen who had risked their property and lives in the colonies, the consequences might be of the most serious nature. It was utterly impossible that the colonial department of the Government could satisfactorily regulate the affairs of forty colonies, distant and scattered as they were. The suggestions of experienced and practical men had been discarded by the Government, and frequent changes and new appointments were constantly made, which rendered it impossible that the colonies could be prosperous. In order to adjust colonial affairs in a satisfactory manner, there ought to be an Act of Parliament passed, clearly defining what should be the system of government to be applied to the colonies, leaving the internal management to the local authorities. If this method were pursued, the colonies might be made useful to the country; but, in their present position, so far from being of service, they became dangerous to the empire. He hoped the noble Lord opposite would not persist in selecting the Committee; but if he did so he trusted he would include Mr. Wakley, the coroner, in order that the hon. Gentleman might hold an inquest on the dead body of the colonies. He entreated the noble Lord not to accept what the Government appeared willing to give, as by so doing a great portion of the responsibility would be removed from their shoulders.

Mr. ELLICE could not resist seconding the appeal just made by his hon. Friend to the noble Lord opposite, to reconsider whether he might not better serve the cause which he wished to promote by not persevering in his proposition. He assured the noble Lord, that, as one of the West Indian body, he felt deeply grateful to him for the interest he had evinced in their cause. There was not one of the body who did not think the noble Lord had made the proposition in the best possible feeling, and he had come to the House prepared to give him his support; but since he had heard the speech of the Chancellor of the Exchequer, his views had undergone a change. He agreed with the hon. Member for Middlesex in thinking that the concessions contemplated were of some importance in the present state of the West Indian colonies. His reason for begging the noble Lord to reconsider the matter arose from a feeling in his mind that expectations might be raised, and inducements afforded, to indulge in speculations in the colonies not justified by the result likely to be obtained by the concessions of the Government. There might be many expectations of various kinds raised, which, he felt satisfied, would end in disappointment. He would not join the Chancellor of the Exchequer in telling the colonies how they were to manage their affairs; but he would tell them that, as their position was now fairly ascertained, and as a fixed line of policy would be pursued towards them, that they should do the best they could to meet their situation. He had considerable experience of West Indian property; and his object had been to serve his tenants as much as he could, and avoid the responsibility of further advances in the dangerous situation of the colonies. He had told his tenants that if they could not pay their rent he would not demand it of them. [*A laugh.*] Gentlemen near him appeared to smile at this; but he believed

his remark would apply elsewhere besides the West Indian colonies. The grand desideratum for the colonists was for them to ascertain their true position, and to adapt their conduct to their circumstances. The right hon. Gentleman concluded by entreating the noble Lord to consider how far he might promote the interest he had at heart by persevering in his Motion for a Committee.

Debate adjourned.

House adjourned at Twelve o'clock.

HOUSE OF LORDS,

Friday, February 4, 1848.

MINUTES.] *Took the Oaths.*—Several Lords.

PETITIONS PRESENTED. From Parishes of Westadean, Singleton, and Ticehurst, Members of the Rural Decanal Chapter of Horsham, and Clergy of the Deanery of Dunwich, against the Admission of Jews into Parliament.—From Members of the Independent Order of Odd Fellows, Manchester Unity, praying that the Provisions of the Benefit Societies Act may be Extended to them in common with other Benefit Societies.

HOUSE OF COMMONS,

Friday, February 4, 1848.

MINUTES.] NEW WRIT.—For Salop (Northern Division), *v.* Viscount Clive, now Earl of Powis.

NEW MEMBER SWORN.—For Kilkenny City, Michael Sullivan, Esq.

PUBLIC BILLS.—1° County Rates.

PETITIONS PRESENTED. By Mr. Ewart, from Dumfries, for Abolishing the Privilege now granted to Members of Parliament of Freedom from Arrest.—From the Borough of Stafford, for Admitting the Bishop of Hereford to a Seat in the House of Lords.—By Mr. Headlam, from Newcastle and Gateshead Religious Freedom Society, for Abolition of Church Rates.—By a great many hon. Members, from an immense number of places, for and against the Jewish Disabilities Bill.—By Mr. J. Y. Buller, from Torquay, and Mr. F. Maule, from Members of the Free Synod of Angus and Mearns, for the Better Observance of the Sabbath.—By Mr. Alderman Thompson, from Westmoreland, against the Roman Catholic Charitable Trusts Bill.—By Mr. Serjeant Talfourd, from Reading, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Sir R. H. Inglis, from various places, against, and by the Earl of Arundel and Surrey, from Roman Catholics of Falkirk, in favour of, the Roman Catholic Relief Bill.—By W. S. Lascelles, from Knaresborough, against Concession to the Roman Catholics.—By Mr. Fox Maule, from Perth, for Alteration of Law respecting Sites for Churches (Scotland).—By Mr. Bouverie, from Committee of the British and Foreign Anti-Slavery Society, for Inquiry respecting African Emigration.—By Mr. T. Baring, from Settlers in the Island of Grenada, and others, for Consideration of the West India Colonies.—By Mr. Divett, from Attorneys and Solicitors of Exeter, for Repeal of Duty on Attorneys' Certificates.—By Mr. Ewart, from Dumfries, and Mr. Fox Maule, from Perth, for Revision of the Stamp Duties.—By Mr. Parker, from Sheffield, for Reduction of the Duties on Tea, Coffee, Sugar, and Cocoa; and from Stafford, for Repeal of the Window Duty.—By Mr. Bright, from Manchester Chamber of Commerce, against Resumption of the Corn Laws (1846).—By Mr. Hume, from Aberbrothwick, Scotland, for Repeal or Alteration of the Bank of England Charter Act, and Banks of Issue Act.—By Mr. Alderman Thompson, and Mr. B. Wall, from Independent Order of Odd Fellows, Manchester Unity, of various places, that the Provisions of the Benefit Societies Act may be extended to them.—By Mr. Moffatt, from William Young and Company, Distillers, Fifeshire, respecting the Bonding of British Spirits.—From Stafford, for Alteration of the Law of Currency.—By Mr. Cowan, from Edinburgh, for Repeal of Game Laws.—From Royal Burghs of Scotland, for the Construction of a Harbour of Refuge at Dunbar.—By Mr. Heywood, from Lancaster, for Retrenchment of the Naval and Military Expenditure.—By Mr. Cocks, from several places, for a Superannuation Fund for Poor Law Officers.—By Sir Joshua Walmsley, from Guardians of the Poor of the Leicester Union, for Alteration of the Law of Rating and Settlement.—By Mr. Ewart, from Dumfries, for Inquiry respecting Turnpike Roads (Scotland).

ELECTION PETITIONS.

On the question that the Order of the Day for resuming the Adjourned Debate be read,

MR. B. COCHRANE said, he would take the opportunity of putting a question to the right hon. Home Secretary, on a subject which he thought the House would deem important, as it involved considerations of justice as well as the interests of many hon. Gentlemen who were Members of that House. He wished to ask whether it was the intention of the right hon. Baronet to bring in any Bill to amend the present law with regard to the trial of election petitions? Many hon. Members of that House had been and others might be subjected to great hardship by having petitions presented against their return, and by finding, when it had been proved that the petitions were not well grounded, that they were still liable to bear the expenses of defending their seats. It was true that Election Committees had the power of deciding that petitions were frivolous and vexatious; but it was perfectly well known that they rarely did so unless in very strong cases; and it often happened that when hon. Members who had been petitioned against were declared to have been properly returned—when it was clear that they had justice on their side—they were still saddled with very considerable expenses. There was another point connected with the trial of election petitions which he considered deserved attention. A Member who was petitioned against was totally ignorant in what order the charges made against him by the petitioners would be proceeded with before the Committee; and it was, therefore, impossible for him to have those witnesses present who might be essentially necessary to meet any particular charge; and the adjournment of the Committee, to enable him to obtain the attendance of the requisite witnesses, was attended with great expense. He thought

it only just that in these Committees the same principle should be followed which was adopted in every court of law—that a party placed upon his trial should be distinctly informed in what order the charges would be made against him, and by what testimony they were to be supported. He trusted that these matters would receive the consideration of the Government, and that they would propose some alteration of the existing system, which was fraught with very great injustice to hon. Gentlemen against whose return petitions might be presented.

Sir G. GREY was not able to state that it was the intention of the Government to bring in any Bill to amend the law relating to the trial of election petitions, with regard to the points to which the hon. Member had referred. The hon. Gentleman had complained of the practice with reference to awarding costs in case of the failure of a petition. Now, he did not think it would be possible to deprive Election Committees of all discretion in the matter. There was now a discretion vested in them; and if the party in whose favour a decision was given applied to the Committee for costs, it was in their power to grant costs if they conceived the circumstances warranted them in doing so. But it would be impossible to provide by Act of Parliament that whichever party succeeded in obtaining the decision of the Committee should be reimbursed the whole of the costs he had incurred, for such a provision would be productive of greater inconvenience than the present practice. He believed the reason that Election Committees so seldom made orders for the payment of costs was, because they were very seldom applied for. The proceedings before those Committees were frequently very protracted, and when a party found that he was not likely to gain the object with which he prosecuted a petition, he believed it was the practice to give an intimation to the other side, and the petitioner retired from the contest on a sort of understanding that no application was to be made for costs. Under such circumstances, the party petitioned against was generally too happy to find that the opposition to his return was withdrawn, for it was more economical to terminate the contest in this manner than to carry it on for several days longer, in uncertainty as to its ultimate result. He did not think, therefore, that the law on this subject could be altered with any advantage. The hon. Member for Bridport had also referred to the inconvenience arising to a sitting Member who was petitioned against, from his not knowing in what order the objections made to his return would be proceeded with. It was provided by Act of Parliament that lists of the voters intended to be objected to, in the case of a scrutiny, should be delivered by the petitioners to the Election Committee, and that these lists should be accompanied by a general statement of the heads of objection; but he did not think it would be right to compel parties to state the order in which they intended to proceed with those objections. They ought not to compel parties to go on with a charge of bribery, when they considered that there was no charge of bribery which they would be able to substantiate, and when the real ground of objection upon which they intended to proceed was of another character. He (Sir G. Grey) thought, however, that it might be advantageous if the chairmen of Election Committees, following the example of the chairmen of Railway Committees, would draw up a series of rules for the adoption of the Committees over whom they might be called upon to preside, with a view to obviate unnecessary inconvenience and expense, and communicate those rules to the agents of parties who might come before them. He certainly did not consider that it was the province of the Government to propose any Bill on the subject.

THE RIVER PLATE.

Mr. DISRAELI wished to take this opportunity of putting a question to the noble Secretary for Foreign Affairs respecting the past negotiations in the River Plate. The House would recollect that when the mission of Mr. Ouseley terminated, a copy of his instructions was laid upon the table by the Foreign Secretary. Since that period another mission had taken place to the same quarter; that mission had also terminated; and he wished to know whether the noble Lord would have any objection to lay upon the table a copy of the instructions furnished to Lord Howden?

Viscount PALMERSTON replied, that he did not think the instructions referred to by the hon. Gentleman could at present be produced, consistently with the public interests. Though the mission of Lord Howden had failed, two other persons were still employed—one by the British and the other by the French Government—in continuing negotiations; and the two negotiations were so connected with each

other—the one arising so much out of the other—that he considered it would be disadvantageous to the public service if the instructions given to Lord Howden were laid before Parliament at the present moment. There would, however, be no objection to the production of those instructions when some arrangement had been effected.

POOR LAW ADMINISTRATION IN IRELAND.

MR. P. SCROPE inquired when the House would be put in possession of a continuation of the papers relative to the proceedings of the Poor Law Commissioners in Ireland; and also whether any proceedings were being taken in Ireland by the Government, by indictment or otherwise, against those parties who were opposing the execution of the poor-law to such an extent as to occasion the death of a number—a considerable number, he feared—of Her Majesty's subjects? He stated this in general terms only, but he could refer to cases appearing upon papers already returned to the House by the Poor Law Commissioners to show that deaths were occurring by starvation, that being recorded as the cause in verdicts on coroners' inquests, and which deaths were entirely attributed in the Poor Law Commissioners' reports to the neglect of boards of guardians and relieving officers to relieve the poor according to the law of last Session, notwithstanding those poor were entitled by law to be relieved and saved from perishing. That, he conceived, was an offence against the law, whether the parties were guilty by non-payment of their rates or non-fulfilment of their duties as guardians or relieving officers. The law in Ireland in this respect stood nearly upon the same footing as in England; and persons authorised by law to relieve the poor would, if any of them perished for want of the relief prescribed by law, be liable to indictment for a misdemeanor, if not for a higher offence.

SIR W. SOMERVILLE felt that the mode in which his hon. Friend had put the second question was so vague, that he was really at a loss to give an answer. The hon. Member appeared to have entered rather into a discussion on the general merits of the poor-law, than to have inquired respecting any particular occurrence. As the hon. Gentleman proposed to put a notice on the paper upon the subject, he would perhaps then state to what cases he intended to call the attention of the House, and he hoped he should be able to give a satisfactory account of the conduct of the Government. With regard to the first question, the hon. Member was a little unreasonable; reports from the Poor Law Commissioners had been laid on the table at the latest moment that could be, during the sitting of Parliament, and other papers were in preparation, and no time should be lost in completing and producing them; but it was impossible to say exactly how soon they could be laid before the House.

SUGAR AND COFFEE PLANTATIONS—ADJOURNED DEBATE.

MR. WILSON, on the Order of the Day for the Adjourned Debate on Lord George Bentinck's Motion being read, rose and said, that in addressing the House on this debate, it was his intention to confine himself strictly to the subject-matter introduced by the noble Lord, and to refrain from travelling into any questions connected with the general policy of the country, which had been noticed in the course of the preceding discussion. He would be perfectly satisfied to look at the question merely as it affected the interests of the cultivators of sugar, and to take the result of the arguments on the statements made by the planters themselves—on the condition of the demands they were making for increased protection—and on the power of Government to afford it to them. The demands put forward by the West Indian interests might be taken as they were summed up in a pamphlet in favour of these claims, under four heads:—

"1. That moral considerations compel us to prohibit the introduction of slave produce as long as moral considerations compel us to prevent slavery.

"2. That slave labour is cheaper than free labour, and therefore to expose the West Indian planter to a competition with slave labour, confining him to the use of free labour, is unequal and unjust.

"3. That the exclusion of slave-labour sugar would be a protection to the British planter, and enable him to compete, and that the produce of Brazil and Cuba should be excluded.

"4. That the Legislature has therefore the power to protect the colonies by excluding or charging with a heavier duty the produce of slave labour."

On these four points he was willing to hang the whole merits of the question; and if he did not succeed in setting aside every one of these positions, he should fall far short of what he expected to prove to the satisfaction of the House. The first

allegation on which the whole hypothesis was founded, was that moral obligations had induced us to exclude slavery from our colonies, and that therefore in the view of the West Indian planters it followed we should exclude the products of slave labour from the shores of the mother country. But looking back to the history of the world, it would be impossible to deny that there had been any nation, which in the course of its rise from barbarianism to civilisation, had not passed through a condition of things, wherein a great mass of her population were exposed to slavery. It would therefore be unjust to say, that because in a certain state of civilisation slavery was improper, we should not hold any intercourse with countries which under other circumstances were compelled to admit the continuance of such a state of society. No nation had ever reached liberty and civilisation, in which the lower classes had not for years existed in a state equivalent to slavery; and he need not go very far back for the time in which the people of this country were in a very different state from that in which they now were, and when their moral sentiments had extended subsequently to the colonies. He was not at all prepared to say, that because the relation between employer and employed was that of master and slave, we should brand it as injustice and oppression, however willing he was to admit that as soon as civilisation had sufficiently advanced, it was the duty of every country to increase the liberty of her people as far as possible, and to put an end to slavery. Those conscientious gentlemen who had appealed to the House to preclude slave-grown sugar from our markets, would, he supposed, object to slave labour in any form, and would oppose it equally in Cuba or Brazil, in Russia or in the United States. The principle of the question, if it were worth anything, should make no distinction with respect to the country in which slavery was tolerated. or the articles which slave labour produced.. If then it were laid down that we should exclude the slave-grown sugar of the Brazils, it would be necessary to contend that the productions of Russia, where the relations between serf and master were those of perfect slavery, should be excluded also. Equally incumbent on the supporters of this argument would it be to refuse to admit the productions of Egypt, for in no other country did there exist a more degrading connexion between the employer and employed. In the practical effect of this principle there could be no choice between cutting off all trade with Russia and the United States, and admitting to our ports the slave-grown sugar of Cuba and Brazil. If we were to exclude ourselves from commercial intercourse with nations because they differed in institutions, he apprehended that all our boasted prophecies of the effects of commerce going hand in hand with religion and civilisation in the world would be in vain. The great practical question to be considered was, first of all, the allegation that free labour was dearer than slave labour. Now, to estimate the exact value of labour was an exceedingly difficult thing. As an illustration of this he would instance what had taken place on the Birmingham and Gloucester railroad. On that railroad a short time ago the locomotive power had cost 2*s.* 10*d.* a mile, and yet within two years the cost was reduced to 10½*d.* This showed how great was the saving which might be effected by a change of arrangements. He held in his hand a letter from Trinidad denying that the cost of labour was any dearer now than it was during the last century, and stating that the cost of particular operations was merely what it would have been during the existence of slavery. In the last number of the *Mauritius Mail* he found an article which warned the planters of Bourbon that

—"as long as slavery existed among them there could be no progress, no liberal institution, no good government, no security for life and property."

With respect to Mauritius, he found that whatever might have been the distress existing in that country, they had nothing to complain of from free labour. In 1832 there were employed in the field, separate and distinct from the other slaves, 32,000 persons, the production of sugar being larger than in any previous year, and amounting to 24,000 tons, or at the rate of three-fourths of a ton per head. Last year the production was 65,000 tons, considerably more than double what it was in 1832. By the census of last year, he found that the largest number of labourers now employed in agriculture amounted to 60,000, not quite double the number of 1832, so that it was to be inferred that they last year produced, upon the average, upwards of one ton per head; whereas, under the slave-labour system of 1832, the production was three-fourths of a ton per head. With respect to Porto Rico, the

noble Lord (Lord G. Bentinck) did not seem to place much confidence in the statements of Colonel Flinter; but he could only say he had found, on the whole, that that writer's statements were perfectly correct with respect to the proportion of the slave to the free population. Colonel Flinter stated, that in the chief part of the island cultivation was carried on by free labourers; that there were 275 sugar estates, and 148 coffee estates, being but 423 in all (out of the whole 19,000) cultivated by slaves. The free coloured population was 280,000, whilst the slaves were only 50,000, being but ten per cent on the entire population of 500,000. It appeared, therefore, that Colonel Flinter's statements were quite borne out by the census taken two years ago. But, perhaps, the most conclusive evidence with respect to the greater economy of free labour was to be found in the progress of sugar cultivation in the East during the last twenty years. Java, now one of the most considerable markets for the supply of Europe, barely produced as much sugar twenty years ago as its inhabitants consumed. The whole exported produce of that island in 1826 did not exceed 23,000 cwts., or 1,000 tons. Since 1826, under a system of open competition with the slave labour of Cuba, Brazil, and Surinam, the production of Java had increased from 1,000 to 75,000 tons last year. We had not in the whole world the example of so rapid an increase in the production of sugar; and his belief was, as far as he could judge from the information he had received from Dutch ministers who had resided in Java, as well as from other sources, that the inhabitants of that island were as free as almost any population in the world. Again, by the Chinese settlers at Singapore and Penang, sugar was produced at a lower rate than in any other region. On the continent of Europe, again, the present production of sugar was equal to two-thirds of the whole production of the West India islands twenty years ago. It certainly was not less than 100,000 tons; and in beet-root sugar the difference in price from Cuba sugar was 2*s.* a cwt. only. The cultivation of beet-root sugar was rapidly extending on the Continent. This was a new species of competition which the West Indians had to contend with, but one over which the House had no control. Beet-root was becoming a new branch of agriculture in Europe, and an important element in the rotation of crops. In 1826 the whole amount of sugar produced eastward of the Cape of Good Hope was 21,000 tons; in 1847 it had increased to 240,000 tons. This was a most important fact to consider when they were looking at the condition of a few islands in the Gulf of Mexico, which, a few years ago, had the monopoly of that particular article. So that this, added to the home-grown supply of 100,000 tons, made 340,000 tons available for the consumption of Europe, against 21,000 tons which were available twenty years ago; and the whole of that increase was the produce of free labour. The entire quantity of sugar produced, twenty years ago, for the consumption of Europe was but 297,000 tons. In those days the United States of America produced almost no sugar at all; the supply of Louisiana was a mere trifle; whereas you had now there a great production. So that, taken altogether, you would find that, during the last twenty years, you had more than 150 per cent increase in the production of sugar in the world, in entirely new quarters. It was impossible to deny that so rapid an increase in the production of one article must be attended with great disturbance in the value of property, and materially affect our relations with those old-established plantations which had been the original seats of sugar culture. Whether it was to be the fate of sugar, as had been the case with indigo, to be produced entirely by free labour, it was impossible for him to say; but had you adhered to slave labour, it seemed to him that, as infallibly as the cultivation of indigo had moved from the west to the east, so would the cultivation of sugar have gone to the east. If the House should comply with the demands of the West Indians, he asked if they would be any better off than they were now? Would they not still have to sustain the competition of Java, Manilla, and other countries? The House had no power to grant relief in this respect. Under the provisions of the new law regulating the admission of refined sugars, we had opened our market at once to the whole of the beet-root sugar produced in France, Belgium, and different parts of the Continent. In every one of those countries there was a drawback on refined sugar exported, acting by way of bounty, equivalent to the protective duty imposed in the first instance. So that, unless we altered the whole of our commercial relations with the continental countries, it was quite impossible to exclude from our mar-

ket the produce of European beet-root sugar. Again, we had decided that refined sugar, like flour, was a manufactured article, to be admitted without reference to the country where it was grown; so that under our treaty with Holland it would be impossible to prevent the Dutch from importing the sugars of Cuba and Brazil, refining them in Holland, and selling them here as the manufactured produce of that country. There were no means, therefore, of giving protection by excluding slave-labour sugar from this country. It was a most satisfactory announcement from the right hon. Gentleman the Chancellor of the Exchequer that the Government, while they were determined to adhere to the Bill of 1846, intended to do justice to the West India colonies, by removing every species of restriction which could be repealed with propriety. There were also many other questions which might with propriety be entertained by the Committee. He believed that if the West India colonies were to be saved, it must be by a social change in the relative position of these islands. He believed that the Government, in dealing with the question of labour there, had committed a great error. He believed that the social constitution of the West India colonies was detrimental and inapt. Let the House compare those under the British crown with Cuba and Porto Rico: there was a material difference between the social position of the inhabitants. He found that in Porto Rico, forty per cent of the population were white people, seventy per cent were white and free people; and taking the two islands together they had only thirty-two per cent of slaves upon the whole population. In the British colonies only seven and a half were whites, and ninety-two were blacks. Was that, he would ask, a division likely to promote the interests of those colonies, or the efforts of civilisation? In Cuba, English and Spanish families had settled, whose descendants from generation to generation succeeded to their estates and plantations; and who, if they made a great deal of money, spent it where they made it. A very different state of things existed in the British colonies, which it appeared to him were only looked upon as places for making fortunes. Gentlemen went out there, made money, and in order to make the rest of their days comfortable, came home and spent it. He very much preferred the latter to the former course; it was a natural desire, and he had no doubt a very proper one; but he could not resist the consequences of both such systems. He also found in six years that Porto Rico had constructed 47 regular bridges, 132 wooden ones, and 400 miles of railroad. He had the authority of Sir Robert Schomberg for stating that there was no less than 800 miles of railroad in Cuba, while there were only 1,200 in all the British colonies. It was impossible to deny that railroads were a great means of economising labour. He remembered some eight or nine years ago when a proposition was made to make a railroad in Jamaica, the gentleman who proposed it canvassed all the parties, merchants and settlers in the island, who ought to have been interested in its construction; they all admitted the immense advantages which such an undertaking would confer upon the colony, but not a shilling did they subscribe to the undertaking; and every shilling that was subscribed came from the free-traders in the town of Liverpool. When they looked to these facts, and to the state of society in those countries, they must admit the reason why sugar should be produced cheaper in Cuba. No matter what changes or regulations were made by Parliament: the social position should be changed before they could cure the evil. It was only last week that he saw a ship fitted out for Cuba, and on board he found a number of iron tanks for storing the molasses, in order to save 10 or 15 per cent, which he found in the Parliamentary report was proved to be lost in the voyage. This argued a great energy, and a great desire to consult economy in that island. With regard to the condition of labour in the colonies, he was free to admit that a great deal of injustice had been done to the planter in the unnecessary restriction which had been placed upon the immigration of labour. The Government had shown an unnecessary jealousy of its own power in carrying out its laws, or an unnecessary distrust of its own snbjects in imposing these restrictions. In Trinidad, where there were only twenty-nine people to the square mile, and where there were one million of acres of waste lands, and where labour was unpleasant, little or no means had been taken to prevent vagrancy or squatting. Why, the first duty of the Government, after the Emancipation Act, should have been to have imposed some very stringent regulations upon this subject; indeed he was sure that the matter

had not escaped the attention of the then Government. Lord Glenelg, in 1836, in a despatch, laid down the principle as broadly and clearly as any person could wish; but not a single answer was made to it, nor was the matter subsequently alluded to by his Lordship. He found that in Cuba and Porto Rico one of the chief means which had been taken to reclaim them was by stringent regulations against vagrancy and squatting; and all persons were held vagrants who had no visible means of obtaining a livelihood; and that was a very fair test; it was the test in civilised and cultivated society, and he did not see why they should apply a more lax code to the colonies. With regard to the immigration of labour, he had no objection whatever; he thought that the planters were entitled to obtain labour where they could, and how they could, so long as they did not transgress the law of the land. But although he was in favour of free immigration, he very much doubted whether immigration would confer any present benefit. He found that in Barbadoes there were 734 persons to the square mile; in Jamaica there were 88 to the square mile; and in Trinidad 29 persons to the square mile; and in Trinidad squatting was an evil proportioned to the population. He believed that an improvement in the vagrancy law would confer a greater practical benefit than any immigration. By the last accounts from the island they would perceive that the distress which existed last year was beginning to produce a new and a better state of feeling between the employer and the employed. He alluded with great pleasure to a letter from British Guiana, written by the hon. Member for Leominster (Mr. Barkly). The letter to which he alluded did honour to the mind of the hon. Gentleman who wrote, and showed that he, at least, had taken a clear and decisive view of the only mode by which the present difficulties were to be met. The hon. Gentleman stated, that to hope for protection was in vain—that he had voted for a repeal of the corn laws, and he could not hope for protection to sugar. But he said that the difficulties might be in some degree met by efforts to reduce the cost of production. The hon. Gentleman stated that the expenses of an estate were fairly divisible into three heads: first, the cost of supplies; next, the salaries of clerks and overseers; and the third, the wages of labour. All should bear their proportion of reduction and economy, and if wages were reduced by 25 per cent, there would be hope. Well, what was the result? That would be best known by extracts which he would read with great pleasure to the House, and which hon. Members would listen to with equal pleasure, because they showed how readily the suggestions of the hon. Gentleman had been complied with. These extracts were from two numbers of the *Royal Gazette* of George Town, in Guiana:—

"Some slight consideration, however, will convince us that we have neither been for years pursuing a phantom, nor have little to hope from the present measure of the Home Government. In the last three years we have received the largest accessions to our population which we have ever obtained since the emancipation. It is estimated that since 1844 not less than 30,000 labourers have been introduced into the colony. It is quite true that the exorbitant rates of agricultural wages, which prevailed in 1844, prevail now; and that in these three years a vast number of the peasantry have withdrawn entirely from the coasts, and settled upon their own freeholds up the rivers and creeks in the paradise of the interior. These may or may not be lamentable facts. But it is equally true that, as compared with 1843 or 1844, the sugar crop of 1847 has remarkably increased, and that every colonist of observation and experience attributes this increase solely, under Providence, to the importation of Coolie and Portuguese labourers effected in the interim. The sugar crop of 1843 and 1844 was about 35,000 hogsheads; the sugar crop of 1847 will be about 50,000 hogsheads. When three years ago the authorities conceded to us Coolie immigration, every cane field almost in the colony was a wilderness of weeds; labourers in many places could not be obtained for love or money to take a hoe or shovel in their hands; the arrogance of the native peasant was intolerable: the dependence of the planter upon him humiliating and disastrous in the extreme. The colony, which depends wholly upon its sugar cultivation, not only is in a crisis just now, but will have, in all probability, crisis after crisis to go through till the Sugar Bill shall have fully developed itself, and the sugar of the British West Indies enjoys no favour whatever in the markets of the mother country. We entertain some hope that things will, in the end, go right, from a fact which has come under our observation within the last fortnight, and which proves, to our mind at least, that the population can and will bend and accommodate themselves to circumstances. For our part, we would ask no more in order to fight the battle of free-labour with slave-labour produce. It was clearly enough demonstrated to the people that sugar was not, at the old rate of wages, paying the planter: and the alternative was, in many districts, submitted to the peasantry, either of not working at all, or of working for wages reduced at the rate of 25 per cent. With wonderful smoothness and placidity, all things considered, the people have agreed within the last few days, in the finest and most extensive sugar district of the colony — the Arabian coast of Essequibo—to accept the reduced rate; and the same thing we learn has happened on the east coast of Demerara.

This great change has been effected without any strike, without any sulkiness, without any manifestation of ill-feeling; and shows, on the part of the free peasant of this province, a degree of manageableness which surpasses, we are inclined to think, any degree of submission which coercive discipline can produce in Cuba or elsewhere. This trait—which we own has taken us by surprise—in the character of our free labourers, though it has diminished their wages 25 per cent, has raised our opinion of the prospects of the colony at least fifty."

This was a most satisfactory statement, coming from the colonies, and he did not think that they had any right to despair. In the Mauritius things were bad indeed. It was proved that the Colonial Government alone cost the colony 6*l.* per ton on the sugar raised. With such an outlay as that, it was hard for them to compete with such islands as Cuba and Porto Rico. These were all legitimate questions for the Government to entertain. He was confident that they already entertained them; and, therefore, he was confident that they saw their way through a great deal of mist. The Chancellor had stated that he had no intention of altering the law of 1846; but he did hope that the noble Lord the Member for King's Lynn would not be induced to withdraw his Motion.

Mr. T. BARING said, that of all the painful descriptions which this debate had called forth of the present state and future prospects of the West India colonies, he thought there had been nothing more painful for the House to have heard than that part of the speech of the hon. Gentleman who had just spoken, in which he figured the present condition of our own colonies, and contrasted it with the flourishing condition of Cuba and Porto Rico. Nothing, in his opinion, could be more disheartening than when the hon. Gentleman pointed to Cuba, and said, "See what slavery has done!" and then pointed to the British West India colonies, and said, "Behold the result of freedom!" The hon. Gentleman stated that he was not exactly aware how many hundred miles of railway had been completed in Cuba; but he was well aware that, after the utmost possible effort had been made to finish one short railway in Demerara, only twelve or fifteen miles had been formed. The hon. Gentleman also stated that he had examined a ship that was going out to Cuba, fitted up with iron tanks for sugar making, but that no such advantages were available to the merchants of Great Britain; no such improvements could they send to their own possessions. Finally, the hon. Gentleman stated that no system of protection could serve the interests of our colonies; that the growth of other kinds of sugar, besides our own colonial sugar, was so great that he was only surprised our colonies had existed so long. To what the hon. Gentleman thought all this must ultimately come, he had not been able to gather from his speech. The hon. Gentleman said that he believed that the colonies were to go through crisis after crisis; but he did not conclude by stating what was to be the final result. The hon. Gentleman, however, stated that a great competition had within recent years risen up between our colonial produce and a variety of free-grown sugars in different parts of the globe. The hon. Gentleman had told the House to look at the beet-root manufacture. No one could doubt that the manufacture of beet-root sugar had risen to a great extent; but the chief gist of the question seemed to be—were the producers of these sugars in the same position as the producers of sugar in our own colonies? Were they fettered in obtaining a supply of labour, and had there been that great social revolution among them which had taken from them the means of producing sugar? The hon. Gentleman the Member for Westbury said that he was glad that the right hon. Baronet the Chancellor of the Exchequer had held out no hope to the West Indies. He (Mr. T. Baring) was sorry that the right hon. Gentleman could not give them assistance; but, if it was to be said, that nothing could or would be done for them, it was far better to say so at once; and, abandoning the vacillating policy which had hitherto prevailed, to declare that it was the opinion of the people of England that they ought not to give up slave-grown sugar. When the colonies were taunted with loss of capital and improvident expenditure, it was to the hopes which the legislation of this country had held out that must be attributed the blame of the losses which had been incurred. The right hon. Gentleman said, that he did not wish to hold out any hopes; and he (Mr. T. Baring) confessed that he thought it better for the Government openly to state the resolution to which they had come; but, when the right hon. Gentleman went on to say that it was not the Bill of 1846 which had produced the fall in sugar, which had only partaken in the fall of other commodities, he must contend, although he did not deny that sugar must partake of the effects of a monetary pressure, that the real question

was, not whether sugar stood in its relative position of supply and demand; but whether there had been the same fall in foreign sugar, since the Bill of 1846, which had affected the sugar of our own colonies. The right hon. Gentleman compared the prices of sugar in January, 1847, with the prices of the present time. But he should have gone back; he should have referred to a period when these foreign sugars, which were introduced by the law of 1846, were excluded from the market of this country; because, if he could show that these foreign sugars maintained the same price as they did before, after the fall which had taken place in our own colonial sugars, he should make out a case demonstrating that the Bill of 1846 had some share in the fall of prices. Now, on the 18th of June, 1846, which was before the change of Ministry, and when it was supposed that the sugar duties would be left alone for that year, the price of Jamaica sugar, of middling quality, was 37*s.* per cwt. He would now take the price of sugar as it was on the 2nd of February; and he found that Jamaica sugar, of the same quality, was at 26*s.* per cwt., being a reduction in price of 29¾ per cent. In June, 1846, Barbadoes sugar was worth 38*s.* per cwt.; it was now at 28*s.*, being a reduction of 36 per cent. Mauritius sugar, at the former period, fetched 36*s.* per cwt.; it now sold at 26*s.* In 1846, Bengal sugar sold at 39*s.*; it might now be bought at 28*s.*, showing a fall of 28 per cent. But what was the price of Porto Rico sugar in June, 1846? It was then at 21*s.* per cwt., and it was now worth 22*s.*, being an advance of about 4 per cent in price. Cuba sugar, worth 20*s.* per cwt. in 1846, was now worth 21*s.*, showing a rise in price of 5 per cent. He might be told, perhaps, that he was taking the prices of these foreign sugars when they were very low; but the average prices of the years 1844 and 1845 varied from 18*s.* to 21*s.* per cwt. When the fall in the price of colonial sugar was attributed by the right hon. Gentleman to the monetary distress, he contended that the relative fall in the price was attributable to the Bill of 1846. He would ask the right hon. Gentleman whether he still attributed the fall in the price of colonial sugar solely to the panic? [The CHANCELLOR of the EXCHEQUER: No; but it would be wrong to attribute the whole fall to the Bill of 1846.] It had been argued, that when the greatest entries of foreign sugar for home consumption were made, prices were not unusually low; and that the fall in price of British Plantation sugars occurred when the entries of foreign sugar were made; but he should think it natural, when prices were high, that the foreigner should pour in sugar, and when they fell, that he should hold back his produce until there was a rise. The right hon. Gentleman had alluded to various cases in which there had been a low price of sugar; but these were all cases of a low price of sugar obtained by slave labour. That was an argument for the producers of sugar to use, for they might say, "With slavery, sugar at a low price paid us better than sugar does at a high price without slavery." But then, the right hon. Gentleman said that the Barbadoes Bank had failed; and he did not deny that its failure must be productive of great injury to the people within the colonies; but it should be recollected that this failure was produced by the depreciation in the value of property and produce. There had been another bank whose experience he might quote; and he thought the fact would show the great extent of the pressure on the colonies, if he referred to the proportion of dishonoured bills held by the Colonial Bank. From January to June, 1847, the number was as two to one as compared to the corresponding period of 1846; and from June to November, 1847, as five to one compared to the same months of 1846. The right hon. Gentleman stated that undoubtedly, whatever might be the claims of our West India colonies, those claims could not be put forward by any of our other possessions which produced sugar for this country. Now, he did not mean to say, that the East Indies had any claim upon us on account of the withdrawal of slave labour; but let the House recollect that those who engaged in the production of sugar under the sanction of an existing law, invested their capital upon the faith of the legislative regulations affecting the production of sugar. He believed it was an advantage that the East Indies should produce sugar; others might say it was wrong, by any protective duty, to encourage a trade which had risen to so great an extent. But the question was, whether we were dealing fairly towards those who had relied on the declaration of the House and the country against the introduction of slave-labour sugar, and who had invested their money upon the faith of that declaration. The case of the Mauritius was full of grievances, as regarded

the application of labour. There was no doubt that many labourers had been introduced there; but in giving the colonist labour, unless continuous labour were given, and such as could be under the control of the master, the Government really gave them no labour at all. All these difficulties, which had been so fully explained in the petition which had been presented, were of a nature to call upon the Government to reduce the charges which made the passage of a labourer cost 8*l.*, while under other circumstances he would only pay 3*l.* or 4*l.* for his passage; and to take off the impolitic export duty from Mauritius of 1*l.* per ton in sugar. With regard to the remedies proposed, he thought that the grant of 200,000*l.* for immigration might be productive of good, as he supposed that the right hon. Gentleman did not mean to tax the colonies in any way for that, because the right hon. Gentleman must see that on the presence of immigrants the very existence of the colonies would depend. The next point was the repeal of the navigation laws. Now, he agreed with the noble Lord (Lord G. Bentinck), that unless there was a special repeal of those laws in favour of the West Indies, the West Indies could receive no benefit from the repeal. He was not going to speak on the general question of navigation laws, for he thought the question ought to be treated, not with reference to the interests of the colonies alone, but as a great national question, though the colonists, like drowning men catching at straws, were anxious for the repeal of those laws. It did not appear to him, however, that they could possibly, in the long run, derive any benefit from the repeal of the navigation laws. If they were repealed for the West Indies, they must also be repealed for Cuba and Brazil; and it seemed so clear to him that vessels would congregate in that market from which there were the greatest means of freight, that it was evident that Cuba and Brazil must be the greatest gainers by the repeal of the navigation laws. It was equally clear that the Mauritius woul derive no benefit whatever from their repeal. With regard to the admission of rum and molasses, the right hon. Gentleman did not give the colonists much hope, but said, that, after all, the depression of the colonial interest was more attributable to absenteeism, and the mode of managing estates, than to any effect produced by alterations in the laws. He was afraid that the right hon. Gentleman would find that resident proprietors in the colonies had suffered as much as absentees, and that estates were as well managed there under the superintendence of agents as by the proprietors themselves. He believed that this was often found to be the case in Ireland, and it was much the same in Jamaica and other islands of the West Indies. But the right hon. Gentleman had quoted different pamphlets to show that the fault lay with the West Indian colonists themselves. He (Mr. Baring) wished, however, that instead of quoting pamphlets he had quoted the despatches of the Governors of the different colonies. He would rather trust to their statements than those of writers of pamphlets. Let him quote the opinions of Sir Charles Grey and Lord Harris upon the matter. But even in the pamphlets which the right hon. Gentleman had quoted, it was admitted that they ought not to judge of cultivation in the colonies as they would of cultivation in England. What did Dr. Evans himself say? He said—"People must not judge of our cultivation as they would of their own; they must not think that the cultivation of a sugar estate is like that of an English farm, and judge from that of the remedies which ought to be applied." Dr. Jells said—"We must spend money, we must make roads, &c., and, above all, we must not spare medical attendance." That was all very well, but the question was, where was the money to come from? How could improvements be carried into effect without the possession of capital or confidence? There was the sore; confidence was wanted, and until that could be restored, capital would not flow into the colonies. The legislation of this country had destroyed capital in the colonies, and then they turned to individuals, and said, "Look at the people of Cuba, they are spending money." Yes, because they were making it. They had credit, because it was known that the law of 1846 had benefited Cuba and Brazil; but when the right hon. Gentleman said that the failure of the merchants had been the cause of the distress, and not the low price of sugar, let him tell the right hon. Gentleman that the low prices of sugar preceded the fall of those houses. The right hon. Gentleman might think that the Bill of 1846 had had nothing to do with those failures; but he (Mr. T. Baring) could assure the right hon. Gentleman that this had been the real cause of

the ultimate ruin of the houses in question. The houses here were not anxious to possess property in the colonies themselves; but believing that the policy of the Legislature was in favour of free-labour sugar, and having advanced money on the security of landed property, they ultimately took the property in question as a security for their debts; and then came those sweeping measures which depreciated the value of all colonial property. He was afraid that the right hon. Gentleman did not fully estimate the position of affairs in the colonies. He feared that when the right hon. Gentleman spoke of sending out agents like Mr. Price, he did not know the destruction which had fallen upon capital in the colonies. "Get your agents," said the right hon. Gentleman, "like Mr. Price, and you are sure to make your properties invaluable." Why, it was but last night that a gentleman who had been consignee of the produce from the very estate for which Mr. Price was agent, told him what was the cost incurred and the produce raised during the period of Mr. Price's agency. The hon. Gentleman read the following statement:—

"Worthy Park Estate, in Jamaica, during the management of George Price, Esq.:—

		Expenditure.	Produce made. Sugar.	Rum.
		£	Hds.	Puns.
Nov. 1, 1843, to Oct. 31, 1844		7,481	261	82
— 1845,	— 1845	9,865	309	135
— 1845,	— 1846	12,852	303	146
— 1846,	— 1847	18,856	267	128"

Thus, then, the produce of the last year, which the right hon. Gentleman the Chancellor of the Exchequer had stated at 700 tons of sugar, appeared to be 267 hogsheads of sugar, and 128 puncheons of rum, the value of which amounted at most to between 7,000*l.* and 8,000*l.*, while the money expended on the estate during the same period was 18,000*l.* These, then, were the comforts which were sent to the colonists. The right hon. Gentleman, in referring to the French West Indian colonies, which he said were failing also, though there was a resident proprietary there, said that the colonists would not properly attend to the management of their estates. He believed, however, that though money was now so abundant for other purposes that it might have been had at a moderate rate, it was impossible to obtain it on any terms on colonial security. He would read to the House the particulars of an estate in the island of Jamaica:—

"Seven miles from Kingston. Between 1,000 and 1,100 acres. Sugar and cattle. Buildings and dwelling-house in good order. New steam-engine, erected in 1839. Advertised for sale last year in the London and colonial papers. Offered for sale in the autumn in Jamaica, no reserved price being mentioned; but there were no bidders. Put up to auction in London. The owner, who attended the sale, states that there were but four or five persons present, that they did not appear disposed to bid, and the estate was withdrawn, after having been offered for 2,000*l.* Its average crop was 80 hogsheads of sugar, besides its profits as a cattle-pen, being so near Kingston. Its steam-engine was of sufficient power to grind the canes for the next estate. Its cultivation is now abandoned, and the proprietor is forced to pay 120*l.* a year to a person to look after the buildings and keep off squatters. He has, however, had an offer of a tenant at 100*l.* a year, on condition that he shall not be bound to maintain it in repair as a sugar estate."

This, he believed, was the condition of many estates in the colonies. It was very probable, that from the want of credit it would be impossible to ship the whole of the crop that was now being raised, and the want of credit would certainly very much diminish the means of planting and getting in the next crop. The following was a letter from a Jamaica proprietor who had settled in the island subsequent to the Emancipation Act, but written last November, and alluding to the effects of the Bill of 1846:—

"On my return here I found things even worse than I anticipated, both in a commercial as well as agricultural point of view. Short as the time has been, already nearly half the sugar estates in the island are in the course of abandonment; that is, they are only taking off the canes remaining on the ground. No preparation is being made for 1849 crop; and I am not far wrong when I say that that crop will not exceed 20,000 hogsheads. I only wish I could leave the island altogether, and get to America. I have got four properties here containing 4,000 acres of land, and I would gladly exchange them for 500 acres in America. I am almost distracted, for I look upon myself as ruined, and my children beggared, and what I am to do God only knows."

The hon. Member for Westbury said, that no relief could be afforded; but he called on the House to consider the distressing situation in which the West Indians were placed from the want of continuous labour. Their interests had been made the battle-field of parties in this country. Party struggles had turned upon the interests of our West India colonies, not for their advantage, but for what were called constitutional purposes; and for this end the question of the sugar duties was made an annual question in that House. In 1841 the Administration of Lord Melbourne was turned out on the question of the

sugar duties—on the point whether we should or should not admit slave-labour sugar. In 1844 an alteration was made in the duties on free-labour sugar, with the assurance that no alteration would be made with regard to sugar the production of slave labour. Were the sugar-growing colonists not justified, in these circumstances, in thinking that the policy then promised would be honoured by that House and by the country? Were they not justified in believing that that House would not so suddenly turn round and break its professions, by bringing them in competition with the producers of slave-grown sugar? But, unfortunately, they were again made the victims of a party struggle; and, in 1846, they found the right hon. Gentleman the Member for Tamworth supporting the measure of the present Government, not, indeed, with any praise of that measure, but with considerable reserve, and because it was necessary to the state of political parties. The right hon. Gentleman did not think it right to oppose it, and, in fact, preferred the introduction of slave-labour sugar to the risk of the noble Lord at the head of the Government going out of office. They were told that they had given 20,000,000*l.* to preserve the property they were now by their policy destroying; but the 20,000,000*l.* paid to the colonists was no compensation for the injury that had been done. That compensation was given as the value only of the slaves, on the understanding that the labourers would continue for the advantage of the colonies; but the absence of labourers afterwards rendered all the compensation that was given absolutely valueless, especially when taken in connexion with the policy that had been pursued towards the colonists. He did not mean to disparage the national generosity; but let it be recollected that they only voted the payment of an annuity, and left it to posterity to defray the cost of the principal. And would any one, looking at that annuity, say that if it were possible to restore slavery to the Mauritius and the West Indies, it would not be a good bargain for those colonies to pay the interest on that loan? Why, in the Mauritius they were paying 50,000*l.* a year for immigration, which would not have been necessary but for the abolition of slavery; and therefore they were not entitled to say that they had compensated the colonists. On the contrary, they had placed them in a position the very reverse of prosperous. The hon. Member for Westbury (Mr. Wilson) said free labour was able to compete with slave labour; but let the House consider for a moment whether with slave labour they did not in reality produce sugar at a much lower rate than they could now do with free labour. In St. Kitt's during the last four years of slavery, he could say from returns made with great exactness, the cost was 4*s.* 5*d.* a cwt; during the period of the apprenticeship, 6*s.* 7*d.*; during the first four years of freedom the cost was 16*s.* 11*d*; and during the last four years it had been 21*s.* 7*d.*, making the difference in the cost between the last four years of slavery and the last four years of freedom, 17*s.* 2*d.* The returns of ten estates on the same island showed an average of 22*s.* 10*d.* per cwt. Could it be denied, then, that free labour was not so cheap as slave labour? Free labour sugar might, no doubt, be produced cheaper by means of immigration; but, if this was not secured, were the colonies to struggle in their present state to compete with countries which possessed such superior advantages? He was quite aware that strong objections existed to anything like protection; but the real question was, had they not placed the West India colonies in such a position as to give them a good claim for relief of some kind, whether it was called protection or designated by any other name? Was their case not such that they appeared before the country and that House in a state of ruin caused by the reckless legislation which had been pursued? They did not say they owed all their present evils to the Bill of 1846; but that these had been produced by the emancipation of their slaves, without that measure being accompanied by provisions to enable them to procure free labour sufficient for the cultivation of their estates. They were now in that very position; and yet they were met by the announcement that the law of 1846 must be upheld, and at the same time protection denied. He did not wish to seem to be a convert to principles that he did not hold; but he would say, with Mr. Deacon Hume, that this was a question totally distinct from the ordinary and regular principles applicable to free trade. He did not mean to say that he perfectly agreed either with the noble Lord opposite or his noble Friend near him (Lord G. Bentinck), that protection or free trade must be in a circle, round which in their legislation they must always move—that they must either give protection to everything, or free-trade to every-

thing. He did not say that because sugar claimed protection, coals must have protection also. Neither would he, on the other hand, apply free trade to every article. He acknowledged the advantage of competition as a stimulus; he thought that, placing things on equal grounds, competition was undoubtedly a great advantage. He could understand a competition to try the mutual speed of racehorses; but there could be no competition between a racehorse and a steam-engine, for the power of the locomotive would bear no comparison with that of the animal. By placing the colonies with greatly inferior powers and with restricted facilities in a position in which they were called upon to compete with others, they were placing two bodies in competition that had no power of rivalry with each other. He would ask the free-traders if they were prepared to risk the success of free trade on the sugar question? He, for one, did not think that we had got free trade yet, for he looked upon free trade as an interchange with other countries; and till other countries consented to this we could not enjoy free trade, but must live in hopes. But, he asked if the free-traders were prepared to rest the truth of their principles on the success of the sugar experiment? The declaration of the free-traders was, that it would produce advantage to all without permanent injury to any. Did they think this would be the result in the colonies? They said it would produce low prices. It might produce low prices for a time; but did they think that throwing land out of cultivation was a result which they could look to without apprehension, and that this would lead to permanent low prices? These prices might, indeed, be kept down by the import of slave-grown sugar, because, while we were to have free labour, we were likewise to have free trade in human flesh. But were they prepared to say that there would be no rise again in the price of sugar, and that they would maintain in that article a permanent cheapness under the present system? They were told, also, that free trade was to produce general and, indeed, universal harmony. It seemed to him that the commencement would not be very satisfactory if it produced discord between this country and her colonies, and if its first effect should be to alienate from us the attachment of those to whom we were bound by duty and connected by pledges. But there were two experiments to be made in this country. The one was free trade, and sugar was the only article in which it had actually come to trial; and, considering the disastrous circumstances that had attended it, he should like to know if they were disposed to rest their experiment upon that case. The other experiment in which the country was engaged was to show to other countries that they might emancipate their slaves without injury to their colonies; but with what face could we say to other countries, "Look to us; we have emancipated our slaves—we have made them free, and prohibited for ever the slave trade and slavery; but the colonies have perished with the measure." With what force of argument could we say to them, "It is true we emancipated our slaves—we loved freedom, but we loved cheap sugar more; we were philanthropists, but our philanthropy is to be calculated on the inverse ratio of Mincing-lane prices; 1*d.* per pound will turn the scale." With what face could we ask them to look to us and the position in which we had placed ourselves as an example before the world, and tell them to destroy slavery in their own colonies, though it might be controlled by regulations of mercy and humanity, and be productive only of minor evils? If their people should call for cheap sugars, cheap sugars must be given them, from whatever tainted source they came, or by whatever injustice produced; if their manufacturers cried out for markets, and whether their gain was or was not to be the greater oppression of the slave in other colonies, they must obey the popular feeling, provided they risked no rise in the price of sugar, and even though it might be procured at the cost of a ruinous experiment. This experiment was to result in a great saving to the country; but were they so sure that the experiment would be productive of economy? They could not expect the colonies to maintain themselves as they had done, if they destroyed their prosperity. They could not expect them to pay the same amount for their internal establishment, if their trade were destroyed, the value of their land depreciated, wages lowered, and every interest in the country perishing. To maintain the colonies, they must then increase their expenditure; and they would have to pay for their support the 300,000*l.* a year that the Mauritius now raised, and the 790,000*l.* raised in the West Indies. Would they say that the colonies cost them too dear, and that, as they could not

afford to keep them, they must turn them off? Then let them speak out at once and say, "We attach no importance to you, and you are at liberty to transfer your allegiance elsewhere." Let them say whether, on the principle of free trade they would allow the colonies to sell themselves in the dearest, and buy their government in the cheapest market? But do not begin by ruining them, and making them beggarly appendages that no other Government would take under their care. The question was an urgent one; it was a case of emergency very different from what the right hon. Gentleman the Chancellor of the Exchequer had represented it to be. He referred to other cases in which distress had been experienced by the colonies; but those occurred when various circumstances operated to produce them. So long as a very high duty, raised during the existence of slavery, prevailed, it was not wonderful that, when the colonies sent to this country 200,000 tons of sugar at that high duty, the consumers only took 160,000 tons, and that 40,000 tons had to be sent through the mother country to the Continent. But the present was a very different case. It was a question whether estates were to be thrown out of cultivation, labourers to remain unemployed, and, of course, no wages to be given. When he heard the quotation which had been read from a despatch of the Governor of Antigua, in which he congratulated himself on the fall that had taken place in wages, he thought that such congratulation might have been well produced by an increase of labourers; but it was a melancholy prospect when reduction of wages was produced by the abandonment of estates by their proprietors. The Government said they had succeeded with their Bill of 1846. They might have succeeded in making sugar cheap; they had succeeded in adding to the revenue. It might be that the people of England, careless now of slavery or the state of our colonies, might little regard what had happened; but the Government undeniably anticipated another result from the measure of 1846. He would ask if their anticipations had been realised? The noble Lord at the head of the Government, in introducing the measure at the close of his speech, said—

"Impelled by energy and invigorated by the spirit of freedom in commercial transactions, my belief is that the colonists will gain and not suffer by this great change in our policy. I believe that the cultivation of sugar itself will be advanced to a greater extent when the colonists know that they must compete in the market of the mother country with the productions of other countries. The colonists, I think, derive a great advantage from being connected with this country, and from having the benefit of all the skill and the accumulated capital of this country; and this empire has an immense advantage also in the loyalty, the strength, and the assistance of the colonies."

He trusted that their loyalty might long remain; but he feared that if the policy were pursued of giving them no relief, they would find their strength and assistance very little.

"The colonial empire of this country is an empire of which every British statesman is most justly proud, and to which the people of this country attach the highest value. I trust that when this better system has been adopted we shall see the colonies increase and flourish; that we shall be proud of them as our creation; that we shall continue to see them in the enjoyment of that liberty which we have given them; and that both they and the mother country may flourish in union for ever."

The Chancellor of the Exchequer, after expressing his belief that the measure he then proposed (in 1846) would tend more effectually to put down slavery and the slave trade than any other, said—

"No one would regret more than myself that this measure should inflict upon the West India colonists a permanent injury. No Government can be insensible to the great interests in the West India colonies; and I believe that if permanent and irremediable injury were to be inflicted upon them, we should inflict, not a benefit, but an injury, upon the consumers of sugar; for I look to them as the great source whence this country will obtain a permanent supply; but I believe that, with their means and capital, they will be able to cultivate upon more advantageous terms than any other country, even those that use slave labour, and that it is to them that we shall in time be indebted for the larger supply of our sugar."

Now, the Chancellor of the Exchequer must know that the effect was to withdraw cultivation from a great portion of the colonies; he must know that what the colonies asked in relief was some measure that would restore confidence; he must know that without confidence neither credit nor capital could be extended to those colonies; and that, before they could be placed on a footing to compete with countries that had slave labour at their command, free labour ought to be put within the reach of the masters to such an extent as to place the labourers sufficiently under their control; that till this was done, confidence could not be restored, and the production of sugar in the colonies must be very seriously diminished. He could not but say that he could look back to no case of legislation more humiliating than the legislation regarding our colonies. He

could see no great interest anywhere so much trifled with—so much sacrificed to the cry of the day—so sacrificed, whether by the abolition of slavery at one moment, or free trade in sugar at another. But on Government must rest the responsibility. With regard to the Motion of the noble Lord, though he believed those who were connected with the colonies and our Eastern possessions would rather like to have heard from the Government a statement calculated to restore confidence, yet they could have no objection to a Committee, even knowing, as they did, that the case was so urgent that, whatever the report of the Committee might be, it would come too late. All that had been asked was to give free labour a fair trial, for it had had no trial. It was a question for this country to decide, whether it would pay—he would not shrink from saying it—whether it would pay an additional price for its sugar to maintain its colonies in contentment and prosperity. On the Government, however, the responsibility rested; and it was a question that the Government would feel to be an awful responsibility. Because these parties were at a distance, their sufferings did not strike our senses. They were weak and powerless. They could not bring the masses to bear upon their cause. They had neither the power nor the ability to agitate and subscribe. But, powerless as they were, their weakness ought to be an influence with the Ministers of the Crown. It was to the Government they ought to look, with the assurance that it was not because they were few and without influence that they should be refused aid. On the Government, therefore, he repeated, would rest the responsibility—on a Government which acknowledged their distress, which gave 8,000,000*l.* to Ireland last year, but which would not give protection to the extent of a penny a pound to the colonies. He spoke strongly because he felt strongly on the question; but if the House should descend to regard motives, he might say that he had no interest in this matter—he had not the interest at stake of one penny in the sugar of the British colonies; and had, therefore, no personal interest except that which every Englishman felt in seeing justice maintained, and public faith supported—in seeing the welfare of the colonies and the prosperity of the United Kingdom promoted, and our national policy preserved from the imputation of injustice. The responsibility, however, rested not on the Government only, but on all those public men who had taken part in the policy which the interests of our colonies had turned up or turned down, just according to the breeze of party. On them rested the responsibility, whether the next departures, east and west, were to convey intelligence that would revive hope and restore confidence—revive hope to stimulate in the struggle against slave labour, and restore that confidence on which credit rested, and which could alone produce capital—or whether they were to take news that would confirm despair, and exhibit the course taken by that House and the country as calculated to degrade and subdue, and ultimately totally to ruin, our sugar-producing possessions.

Mr. BERNAL observed, that it was his unfortunate position, being connected with the West Indies, to coincide in a great proportion of what had been said by the hon. Gentleman who had just resumed his seat. He did not belong to the standing committee of West Indian merchants. He did not attend their meetings; and any sentiments he might express in connexion with this subject must lie at his own door. He did not pretend to do more than to express the honest convictions of his own heart, and nobody, except himself, was to be made responsible for what he might say. In a great portion of the speech delivered by the hon. Member for Westbury, he coincided unreservedly. Clear, lucid, and temperate as it was, it always compelled his admiration, and frequently his concurrence; but his hon. Friend must forgive him for saying, that in his (Mr. Bernal's) opinion, one portion of that speech, and one portion of the argument upon which it was founded, were to some extent suicidal. The hon. Member had dilated on the magnificence of the island of Cuba—he had spoken of the glories of the splendid city of Havannah, and of the fortunes of the noble Spanish families there resident, who, by their presence and their princely expenditure contributed in so material a degree to the refinement, comfort, and luxury of the colony; but he would take leave to ask the hon. Member whether, while he was expatiating on those topics in such glowing terms, there did not lie *perdu* in his own mind the recollection of this fact, that all the railways which intersected that fine island of Cuba, and all the bridges which spanned its streams, and the edifices which adorned its streets, had been accomplished by slave labour. Slavery, in its most re-

volting form and condition, existed still in Cuba. The hon. Gentleman was at perfect liberty to dilate on the advantages of the free-labour system; but when it occurred to him to make allusion to the remarkable prosperity of Cuba, it ought not to have escaped his observation, that that prosperity furnished no illustration for his doctrine, inasmuch as it was wholly founded on slave labour. While he (Mr. Bernal) gave the noble Lord who had moved the appointment of a Committee full credit for sincerity of purpose and acquaintance with the state of the West Indian colonies—while he was conscious that the noble Lord had their interests and prosperity at heart, the noble Lord would pardon him if he said that he did not think the appointment of the Committee proposed could lead to any practical relief. Had the House forgotten the blue books laid on the table some years ago from two Committees to which questions affecting West Indian interests had been referred? He was himself examined before one of those Committees. In the adjoining room another was assembled, to which had been referred the question as to the facilities which might be afforded for procuring a sufficient supply of colonists from the west coast of Africa for the West Indian colonies. Those two Committees produced two blue books, from which he never heard that a single germ of wholesome legislation or practical utility had ever sprung. The noble Lord proposed to summon witnesses from the British West Indies, from Hispaniola, from St. Domingo, from Manilla, from every part of the world, known and unknown. And what would be the result? Was the production of the blue books from the Committee to be simultaneous with the completion of the two Houses of Parliament, which appeared to be one of the remotest eras that could be well speculated upon? And meantime the sufferings of the West Indian colonies were to continue. The West Indian interests certainly demanded a more instant measure of relief than the noble Lord's project was likely to afford them. He was not a West India protectionist. When he had voted for the abolition of protection to the British agriculturist, he could not stand up in his place and support the principle as applied to that body with which his whole life and interests were bound up. It was not protection, therefore, that he wanted for the colonies, but a straightforward, intelligible, and statesmanlike policy. In regard to what fell from the Chancellor of the Exchequer, he confessed that he felt very much disappointed, not at the remedies proposed, but at the tone which pervaded the speech of the right hon. Gentleman, who had begun with a kind of indistinct statement that he did not wish to say anything disagreeable to the feelings or offensive to the prejudices of any one, whose interests were involved in this question. But the right hon. Gentleman, towards the conclusion of his speech, proceeded to make quotations from pamphlets, anonymous and avowed, with titles and without, seemingly to no other end than to accumulate matter for taunting the West Indian interest with such questions as—"Why don't you employ sufficient machinery? Why don't you expend sufficient capital on your exhausted soil? Why don't you change the aspect of affairs by every possible and impossible improvement? Why don't you borrow from England and Scotland their improved modes of agriculture?" But could the right hon. Gentleman conceal from himself the fact that the colonists were powerless? Where was their capital? Where was the security to be found on which capital might be obtained? There were estates which were not encumbered; but if they could not survive the general delirium—if he might use such an expression to describe the state of things which had arisen—there were no properties which could be made to survive, whether by natural or artificial means. It might be all very well to talk of improved agricultural implements and improved agricultural systems; but where was the money to come from? Could a proprietor selling a cargo of sugar at a price less than the growth, freight, and manufacture had cost, go into the market and borrow money to effect those improvements for want of which the Chancellor of the Exchequer said it was that the colonies were suffering their present misfortunes? When the right hon. Gentleman altered the sugar duties in accordance with the principles of free trade, was he not bound to carry out those principles in all their bearings? Of the small concession in regard to rum, it might be said, "better half a loaf than no bread;" but the results would have been far more satisfactory had the right hon. Gentleman stood by the principle he had adopted. The right hon. Gentleman had acted neither consistently on his own principles nor justly to the West Indies. Then there were petty taunts thrown out. It was

said, "Oh, the West Indian had been paid: 20,000,000*l.* of compensation should close his mouth." No argument could be more fallacious, as any one who pretended to know anything of the West Indies and the value of estates must be aware. When the Chancellor of the Exchequer spoke of periodical distress in the West Indies, the right hon. Gentleman might be asked what was the cause of that periodical distress? It had been the practice of this country to follow a most vacillating policy in regard to the colonies. It was a policy which betrayed equal vacillation of purpose and uncertainty of action. Nobody at Christmas knew what was to be the fate of the colonies at Midsummer. There were pigeonholes at the Colonial Office and the Treasury full of plans which presented a system equally stale and useless. Would the right hon. Gentleman show how they could make a resident tenantry spring up in the West Indies? The negro would laugh at them if they proposed to make him a resident tenant. He was content to hold provision land, which enabled him not only to support himself, his wife, and family, but to supply vegetables for the market. There was one very important point to which no allusion had been made. In Jamaica the negro to a certain extent was independent of his employer. In a good season the produce of his garden, which he sold in the market, enabled him to realise a considerable sum. If a colonial law were enforced which should compel every proprietor of cane land to put a portion of it into cultivation as provision land, the supply of the vegetable market would not be in the hands of the labourer. It would be idle for any hon. Gentleman to address an argument to an audience out of doors in favour of protection. But there was a question which would be forced upon the attention of the right hon. Gentleman —why should the planter of Jamaica, Barbadoes, or any sister colony, pay a duty on the importation of his produce into the port of London any more than the Yorkshireman should pay a duty on sending his cargo of potatoes from the Humber? He now took the liberty boldly to bring forward a question which would force itself on public attention. It was a question which must not be shirked. It might be said, that in this country they were at certain expenses on account of the colonies; but so they were for every part of the empire. If they had to incur charges for the protection of Jamaica and the West Indian islands, they had to do so equally for Ireland, for the Hebrides, for every county and district of the United Kingdom. Upon what grounds, then, did they, when they came to carry out the principle of free trade, suddenly stop short? It was his conviction that the man who grew sugar in Jamaica or Barbadoes, had as much a right to have his sugar admitted duty free to the market in Mincing-lane, as the man who raised grain crops in the Lothians, or in Kilkenny or Waterford, had a right to bring his produce for sale to Mark-lane. But the objection was raised, how was the revenue to be maintained? As a colonist he had nothing to do with that. As a British subject he demanded the same measure of justice which was given to Ireland or Yorkshire. As to the navigation laws, he was one of those who thought that from their abolition not so much benefit would accrue as was supposed. But there was room for exaggeration on every subject. The colonists were looking forward with considerable hopes to the abolition of those laws. But it must be recollected, that one of their best markets was the home market, with which old ties existed. Then it was known that at Lloyd's, vessels built at English ports stood longer A 1 (as the phrase was) than vessels built in New Brunswick or Canada. Looking, therefore, to insurance and other items, he felt that so many advantages were not likely to result from the abolition of the navigation laws as were sometimes anticipated. Freight to the West Indies was 4*s.* or 4*s.* 6*d.* per cwt., or 4*l.* a ton; to Brazil, a considerably greater distance, the freight was less. [Mr. ROBINSON: 50*s.* a ton.] Vessels coming from India would prefer taking Benares sugar for almost nothing to returning light. When it was said, that the produce of free labour must be better than the produce of slave labour, it seemed to be thought that there was fair room for competition. But about a year and a half ago he had learned that the owner of an estate which had produced 1,200 hogsheads of sugar, and 650 puncheons of rum for the British market, though the crop was magnificent and the property unencumbered, found himself 1,200*l.* minus in the end. Another friend from the island with which he (Mr. Bernal) himself was connected, had a family estate worth 5,000*l.* a year. He offered to let it for 350*l.*, or sell it for 4,000*l.* He could find neither lessee nor purchaser. If estates were let, the lessee, commencing

with the best intentions, but landing himself in difficulties in the course of a year, might be led to misappropriate the stock; and so the landlord, in the course of another year, might find his own condition a great deal worse. Those hon. Gentlemen who had spoken so much of a resident proprietary and resident tenantry might be asked where were they to come from? Were they to spring from the soil by some Cadmean process? Did our own agricultural peasantry in Great Britain spring all of a sudden from serfs into free men? Was their improvement the work of a day, or of a year, or of a quarter of a century? No. It took place gradually, by the infusion of popular sentiment, by the effects of good government, and by the changes which had occurred in the state of things in Western Europe. But in the case of our colonies we expected what was impossible. The unfortunate proprietors were assailed with so many suggestions, that they hardly knew what to do. They were told that their ruinous condition was owing to their own faults, that it arose from their not residing on their properties, and from their not adopting those agricultural and manufacturing improvements without which they could not expect their estates to flourish or produce any income. It had been his painful task to hear these things reiterated over and over again. If he said anything in reply to these observations, it was said, "Oh, you are an interested party." He did not like to talk of himself; but he appealed to every hon. Gentleman who knew him, whether they had ever found him deserting his duty in that House for the purpose of promoting his private interest? He begged to tell those hon. Gentlemen who held the views he had just stated respecting the colonists, that however laudable might be their enthusiasm for the suppression of slavery and the adoption of those habits and modes and thoughts of freedom which did honour to the British soil, they were not only too much disposed to jump to hasty conclusions themselves, but to force others to do the same, at the risk of much personal suffering and loss. He begged to tell the House, that he feared that every packet to the West Indies, for some time to come, would take out orders to abandon the cultivation of estates, particularly in Jamaica. This might seem a very simple and easy process of getting out of a difficulty to those who had other property to resort to for the support of themselves and their families. But did hon. Gentlemen never reflect upon this, that there were many family settlements overriding estates in the West Indies, which rendered it a very difficult thing to adopt this process—that there were cases in which it would be for a court of equity to say whether a man was not bound to cultivate his property at all hazards—that there were covenants imposing upon the proprietors the payment of jointures and portions—and that the whole system was so embarrassing and perplexing, that it was enough to wear down the faculties, corporeal and mental, of any ordinary human being? When it was first reported that labourers were particularly required in the West Indies, and when an application was made to the Colonial Office on the subject, twelve months passed before any answer was received. For himself, he never went to the Colonial Office—God forbid that he should go there as the suppliant West Indian proprietor! He made a point of never joining any deputation that went there; for he found that those who did go got nothing for their pains but a polite reply, and a polite *congé*, with the exception perhaps of an intimation that the misfortunes of the colonies were all owing to the want of resident proprietors. Now, he had been told that night of some salient cases, where the distress was more particularly pressing upon proprietors who had lived for years on their estates, not only in Jamaica, but in British Guiana. There was the case of a gentleman in Demerara, who had lived for fourteen or eighteen years on his estate, and was unable to go on. There was the case of another gentleman in Jamaica, who had spent the greater part of his life on his estate, and who was in the same predicament with himself (Mr. Bernal). He assured the House that he was disposed to adopt the most liberal notions with respect to the management of his estate. He had sent out a Yorkshireman as a farmer, with instructions to do everything he could for the land; but the fact was, that he found himself in the singular position of not knowing whether the plans he had adopted were plans that could be defended on the ground of prudence and utility, or whether he should not find himself under the positive obligation to change them to-morrow. He could state truly, that, though doing all he could for his property in Jamaica, he had for seven years derived no income from it whatever, but that, on the contrary, he had been obliged to

maintain an expenditure upon it from other sources for the purpose of keeping it in cultivation; and yet his estate was not subject to a pound of mortgage or any other incumbrance. If that was not a sufficient trial as to whether there was not something rotten in the state of things there, he knew not what argument he could use for the purpose of enforcing conviction on unwilling minds. He granted that the domestic system was bad—that the scale of society was low—that, by the absence of a proper, intelligent, and respectable tenantry, they were unable to derive all the advantages which were incident to their magnificent soil and their equally magnificent climate; but he believed that, with proper management, with proper support, and, above all, with certainty of government on the part of the Colonial Office, the West Indies need not be alarmed at the red fields of Germany, or the beet-root fields of Belgium, or the attempt to imitate their crystallised or granulated produce on the part of France or any other country. But while they were beset with so many and such conflicting regulations as they had been of late years, it was out of the question for them to attempt to adopt means to extricate themselves from the difficulties with which they were surrounded. It was well known that there was some degree of popular excitement in Jamaica at the present moment, and it was said that the planters were objecting to tax themselves for the purpose of raising a fund to pay for the immigration of labourers. He assured the House that money was not so easily raised for that purpose as some hon. Gentlemen might think. Impoverished as the colonists were in every way, how could it be expected they were to come forward with 2,000*l.*, or 3,000*l.*, or 4,000*l.*, or 5,000*l.*, to send a ship to China or the Kroo coast to collect a body of labourers? It was impossible. Where was the money to come from? He knew the proprietor of one of the finest estates in Jamaica—a neighbouring estate to his (Mr. Bernal's) own — and he said to him lately, "What do you intend to do with your estate, neighbour? I want to do something to mine. I wish you would join with me." The gentleman said, "It's no use addressing these remarks to me. Where's the money to come from?" The fact was, that capital was exhausted in our West India colonies. He repeated, that what was wanted to restore confidence and prosperity in these colonies was, in the first place, a certainty of purpose on the part of Government, and also a conciliatory spirit in place of the utterance of worn-out dicta and taunts directed against the colonists which they did not justly deserve. The unfortunate words which sometimes escaped from Gentlemen connected with the Government did more to irritate the colonists, and to sever the natural ties of affection which ought to exist between the mother country and the colonists, than anything else which he knew of; and he implored the right hon. Gentlemman (the Chancellor of the Exchequer) to consider these things well. He had no disposition to bear hard on the Government; but he complained that he was a ruined man, without any fault of his own. His words might fail to influence hon. Members; but he assured them it was a serious subject, and one which merited the serious attention of that House and the country.

Mr. HEYWOOD regretted that he was not in the House when the noble Lord the Member for King's Lynn referred to him last night, with respect to the trade between Lancashire and the Brazils. He we quite aware that there was considerable competition between the Americans and this country, in the coarser description of cotton goods sent to the Brazils, but in the department of the printed and dyed calicoes, there had been a great increase of trade. He found from the trade report of Messrs. Du Fay and Co., published on the 1st January, 1848, that the exports from this country to the Brazils, printed and dyed calicoes, in 1846 was 44,625,737 yards, and that in 1847 they had increased to 57,360,867 yards, being an increase of 13,745,130 yards. He found, on the other hand, that the exports of the same class of goods to the West Indies, in 1846, amounted to 20,362,120 yards, and in 1847 to 14,844,675 yards, showing a decrease of 5,517,445 yards. With respect to woollen goods, he found that our exports to Brazil, in 1846, amounted in value to 76,322*l.*; and in 1847, to 103,433*l.*, being an increase of 27,111*l.* During the same period the exports of woollens to the West Indies had slightly increased. They amounted, in 1846, to 23,477*l.*; and in 1847, to 27,217*l.*, being an increase of 3,740*l.* This trade was of great importance to Lancashire. He remembered on one occasion during a contested election for South Lancashire, hearing that one of the voters had said that

he would vote for any candidate that would support the introduction of Brazilian sugar. The suggestion which had been made by Lord Ellesmere respecting the propriety of removing the squadron from the coast of Africa was one worthy of the consideration of hon. Members. It was kept up at an enormous expense, and was productive of doubtful benefit. The true interests of the Brazils and the West Indies should be put on the same footing. He was desirous that the system of emancipation in our colonies should succeed; for if the experiment failed in a pecuniary point, no other country would imitate our example. He also thought the suggestion of the noble Lord opposite (Lord G. Bentinck) respecting the propriety of lengthening the apprenticeship of the immigrant from five to ten years, well worthy of consideration.

Mr. BAGSHAW said, that having been concerned in the East India trade for more than thirty years, he begged to give as concisely as he could his views respecting this question as regarded that part of the world. It was in 1817 that he first landed in that important country. He found it to be then in a flourishing condition, because it had not up to that time been interfered with by the British manufacturing interest. At that period the whole of the vast population of that country were entirely clothed with the manufactures of their own provinces. In less then ten years afterwards, however, they ceased to be manufacturers, and were entirely clothed with the manufactures of England. As a matter of course, the whole of their export trade was entirely abolished. An exorbitant duty was placed upon every article exported from that empire, while every article from England was admitted duty free, or if not, upon payment of an *ad valorem* duty of $2\frac{1}{2}$ per cent. At that time the duty imposed on East India sugar was so great, as contradistinguished from the duty levied on sugar the production of his hon. Friend opposite (Mr. Bernal), as to prevent any home consumption whatever. Then was the time that the consideration of an equalisation of duties was forced upon the attention of the Government; and how was that brought about? He remembered, when Lord Melbourne was at the head of the State, that deputation after deputation waited upon him, and had enough to do to prevail upon him to assent to this act of common justice. The noble Lord did, however, at last assent, and the duties were equalised; but how? The concession was surrounded with difficulties, insomuch that up to this moment no man, on going into the Calcutta sugar market to buy a cargo for exportation to this country, could be sure whether the duty upon his purchase would be charged at 14*s.* or 16*s.* 8*d.* when it arrived here. He entreated the Government to consider the difficulties that the East Indies laboured under. In the year 1836 a Bill received the Royal Assent, equalising the duties upon East and West Indian sugar, and last year the East Indies sent us 72,000 tons of sugar; a development of trade unequalled in the annals of commerce; and but for that circumstance the West Indian interest might not have had to complain that they had received so little profit upon their sugars. But the hardship the East Indians mostly complained of was, that the Government laid a tax of 100 per cent upon sugar, the produce of the colonies, while the colonies received the produce of the looms and manufactures of this country upon payment of a tax of 3 per cent only. The manufactures of the East Indies had been destroyed in consequence of the introduction of British; and the Government were now about to destroy the branch of industry which had succeeded to manufactures. It was said, that there had been great over-trading in Calcutta; but how was that to be proved? That the East Indian interest had suffered great losses, and were in a most deplorable state, no one could deny. It was distressing to hear of the numbers of widows and families who had been ruined in the destruction which had lately fallen on that portion of our colonial empire. They had been ruined principally by the model colony (the Mauritius) that Mr. Hawes had last Session described in such glowing terms. The last thing they heard was, that Government were going to establish a bank in the Mauritius, which was to issue rupee notes. He believed that the inhabitants of that colony would say, "We want your money, and not your paper;" for as fast as rupees were sent from the East Indies to the Mauritius as circulating medium, they were paid to the Coolies, who hoarded it; and when the Coolies returned to their native soil, they brought back the hard money to the place where it was coined. It was not over-trading that had caused the distress in India, but a want of a proper combination of capital and credit, and the effects of the Bill of 1846. The agriculturists of the

tropics belonged to the empire, and the Legislature had no right to make a distinction between one portion of the empire and another. The question then arose how the revenue was to be raised unless the present tax on sugar was continued; and the Legislature were in this dilemma, that if they taxed the produce of their agricultural fellow-subjects in the colonies, they must also tax their own barley and wheat at home. If a merchant did not believe he could secure a profit of from 10*s.* to 12*s.* per quarter, he would not order a cargo of wheat from the Mediterranean. The home agriculturist was therefore protected to this extent against his foreign competitor; and he demanded that the British agriculturist in the tropics should be protected to a similar amount, say to the extent of 7*s.* per cwt. on all foreign sugar, which would be about equivalent to the protection of 11*s.* or 12*s.* per quarter which the home agriculturist now enjoyed on his corn. It might be said, that the loss to the revenue would be too great to allow of this differential duty being put on; but one present item of expense would at all events be saved. Government might bring home all their squadron now engaged on the west coast of Africa, and no single additional life need then be lost for the sake of protecting the slave. He had had too much experience in former years of Committees of that House to expect much from the appointment of the Select Committee now proposed; and he had at one time intended to have moved as an Amendment to the Motion of the noble Lord, that the House do resolve itself into a Committee of the whole House on the sugar duties. They were many Members of that House who understood the question; some of our merchant princes were yet left in it; and he believed the course he had suggested would lead to more valuable advice and results than the reference to a Select Committee.

MR. DISRAELI: I am sure, Sir, that the hon. Gentleman who has just addressed you is mistaken if he supposes that it is merely to accident we owe the brilliant attendance which now distinguishes this assembly; it is not to be ascribed merely to the fortuitous circumstances to which he has referred. It must have been inferred that it was his intention to address the House, and give us the advantage of his oriental experience, as he has just done in that speech in which he has said that he should place the House in a dilemma. But I cannot help feeling that the greatest dilemma of the hon. Member is, that he is opposed to free trade, and that he is avowedly a free-trader. That is the position in which the hon. Gentleman now finds himself. Therefore I can sympathise with those arguments and with those statistics which seem to me, so far as I can follow them, mutually to confute each other. Sir, I will endeavour to place the question which now interest sus in what I consider to be a true and fair light. I will attempt to divest it of all those, I will not call them unimportant but secondary considerations, which in a lengthened discussion on a topic of such importance as this, necessarily introduce themselves and distract our consideration from the real point before us. I will endeavour to place before the House that which appears to me to be the real question to which we ought to address ourselves, and the political problem which we are called upon to solve. If I be correct in my view of the nature of that proposition—if I can succeed in establishing the rule which I think ought to lead us to this solution—I shall be glad; but, if not, I shall at least be compensated if I can induce the House, although they may not agree with me, to accede to this—that I have placed before them the real subject upon which we are called practically, if not virtually, to give our decision to-night. Sir, the real subject, as it appears to me, is this: The new commercial system has been tried with respect to one great branch of our imperial industry—the only branch of our imperial industry on which it has been tried—and it has been found wanting. That is the real question. You may explain the circumstances or the catastrophe. You may say that such a result would not have been arrived at if a certain line of conduct had been pursued—you may say that such a result would not have occurred if certain things, which might have happened, but were never anticipated, had taken place—but this you cannot deny, that you are called upon to assist a great branch of imperial property, prosperous when you first began to apply your new commercial principles, but which is now no longer prosperous; and we who are urging upon you the claims of that property receive nothing from you but the dry development of some cold abstractions. Here is an interest which in all its relations does not, perhaps, command less than 200,000,000*l.* of capital. Even you admit—even the Government, the authors of the law of 1846, ad-

mit—that that capital is in danger. Even the amateur advocates of that Government do not question the peril, although they account for it. I know very well that if your theory, as first propounded—as you who represent those principles propounded them to this House two years ago—is to be accepted as correct, a loss of 200,000,000*l.* of the national capital is a very light affair indeed. I see before me a Gentleman who gave evidence before a Committee of this House. That Gentleman told the Imports Committee that the profit which the English people would derive from the mere repeal of the corn laws would be about 100,000,000*l.* per annum. We have now experienced the blessing of the new system nearly two years; and when they are completed, I suppose we shall find some compensation for the destruction of the West India interest. I refer to that hon. Gentleman, not merely because he is a Member of this House, and because of his connexion with a great commercial community, but I refer to him because at the time of giving that evidence he occupied a high official situation, and he has since informed us, in a manner the most public, that he availed himself of that official situation not merely to give the results of his commercial and political experience, but even to guide the policy of Prime Ministers. It is to be admitted, no doubt, that if the system then introduced to our notice had been as successful as was then anticipated—if all the measures had been successful which have since been introduced to our notice upon the faith of the evidence then given before the Import Duties Committee—and I refer to that Committee because the highest official authority of the time avowed that the evidence taken by that Committee was the foundation of the laws he proposed to enact—it is to be admitted, that if all those views had been realised, I should have appeared before you at this moment the advocate of this weak interest with great disadvantage. You might then have answered me—"What if all these islands in the Gulf of Mexico were lost in the waves which surround them, where would be the national injury? Have we not introduced to you a new system, which more than compensates you for the loss of all these petty colonial possessions? Is not the profit which which you have made by the repeal of a single law sufficient compensation not only for the loss of this colonial trade, but for this long and anciently invested colonial capital?" But unfortunately you are not in a position to tell us this. You cannot pretend, nor, unfortunately, could we believe if you were so to pretend, that other of your measures, other parts of your new commercial system, have yet led us to those results which should be some compensation for a state of society which I believe in its suffering is almost unparalleled, but which I am sure in the causes of that suffering is quite unprecedented in ancient or modern history. You admit that your system has failed—your new commercial system, which was founded on a principle—a principle which you have baptized with a nobler name than, to my mind, it ever deserved. You told us that you were reconstructing the commercial system of this country upon the basis of emancipated trade, and you told us in the name of free trade that the course you were about to follow would produce unexpected blessings, and achieve unprecedented results. But, in the first place, I deny the principle upon which you commenced. I deny that you reconstructed our commercial system upon the principle of free trade. The principle upon which you reconstructed our commercial system was the principle of buying in the cheapest market, and selling in the dearest. But that is not the principle of commerce. You yourselves, and your great writers, have told us over and over again that commerce is barter. How often, when first I became a Member of Parliament, and when those fatal principles, like a snail beginning to emerge from its shell, first came under our notice, how often were we told with scoffing that commerce was only barter, and with what enthusiastic rapture was that sentiment hailed by the political economists! But, how can you reconcile that doctrine with that fatally practical principle which you are now inculcating and pursuing—that it is your duty and your interest to purchase in the cheapest market? The two contradict each other. But the principle of buying in the cheapest market and selling in the dearest, is not the principle of commerce; it is the principle of retail trade, and of retail trade only. ["No, no!"] I do not know whether the hon. Gentleman who disputes this proposition is the great apostle of the Brazilian trade, to whom I shall presently have occasion to refer; but I contend that your principle is that of retail trade, and,

being that of retail trade alone, is, unfortunately, not retail in its effects. The effects are wholesale. The principle is not retail in ruin, and that is the reason that the colonists, and especially the West Indian colonists, have been brought to the position they now occupy. There is not a Gentleman on either side of the House—I care not for his party or his political convictions, or what may be the economical theories he professes—who will not admit one fact at least, that the colonists are in a most perilous position. Were they in a perilous position in 1846? Why, after all your changes, after all your tampering—I will not say only with legislation, but with the faith of the country and with the honour of Parliament—after all your piecing and patching, after making the colonial interest of England the harridan of party, regarding it as only a means of creating a Government or of upsetting a Ministry—after all this, and more, such was the energy and force of the English character, such the power of their industry and their capital, that—until that year of 1846—they had survived the storm, and there was still a chance, had there been but a fair maintenance of justice towards them, that great national interest might have been preserved, notwithstanding all your injustice and all your impolicy. What, I ask, was the position of affairs in 1846? With great humility, and influenced by circumstances which operated at that time, I took some part in the debate of that year; and I well remember that an hon. Gentleman, an hon. Friend of mine, then Chairman of the Board of Directors of the East India Company, not acting with me at that moment in political life, did, to my great surprise and disappointment, support the measure of the Government; and I recollect that my hon. Friend, speaking of that interest which has been referred to by the hon. Gentleman opposite (Mr. Bagshaw)—speaking of British capitalists who had invested their funds in the cultivation of sugar in India—said that they were not in the least afraid of the measure proposed by the Government. That was a statement which produced a great effect in this House. Recollecting the connexion of my hon. Friend with the subject—recollecting his position, his high personal character, his great intelligence—remembering also that but a few years before he was the authorised advocate of the East Indian interest, and had opposed the Government of the day on a similar question of vital interest—I say that his speech on the occasion to which I am now adverting, produced as much effect in this House as if it had emanated from a man who was a Minister, or had been one. I remember that I told the hon. Gentleman it was not for me to question the opinion of British capitalists in India with respect to the cultivation of sugar; and the hon. Gentleman told us he had attended meetings of those capitalists at which resolutions had been passed expressive of satisfaction at the proposition of the Government. I did not presume to question such a statement, proceeding from such a man. But I did this—I reminded the House of this important consideration, which I felt it was my duty to suggest to them, although I was not chairman of the Board of Directors—I reminded them that the cultivation of sugar in India was carried on by two classes; by great English capitalists, who, induced by our representations, had in that undertaking invested their funds; and for them the hon. Gentleman was the responsible sponsor. But I also reminded the House that, in India, the only cultivation of the soil in which the native population could be really interested was sugar; that indigo was a monopoly, that cotton was a monopoly, that lac was a monopoly; that in every other article the labourer could not become a proprietor; but that, as regarded the cultivation of the soil, the production of sugar was the sole and proud privilege left to the Indian ryot. I read letters addressed to me by men of the highest consideration. I read a statement to which I generally referred, without mentioning the name of the writer, but still in a manner not to be misunderstood. It was well known that that statement came from Dwarkanauth Tagore, one of the most wealthy and intelligent of the Hindoo race, and well known to many Gentlemen here. I read that statement to show that the only means for the regeneration of India was the encouragement of the cultivation of sugar by the native population. I showed by the correspondence of eminent mercantile houses—two of which have since fallen—*Imus, imus precipites*—that native producers of sugar sprang suddenly up in the most remote districts, unheard-of corners, and brought their produce to English merchants, by whom it was consigned to this country; and I produced what was of still more importance, the evidence, the official and Parliamentary evidence, upon the results on our com-

merce of the equalisation of the sugar duties between the East and West Indies. Of that evidence I will give the results briefly, not with the pomp of figures, but contenting myself with referring Gentlemen to documents accessible to them. Avoiding the details, this I know to be the result, that the great, I might say the immense increase in our trade produced by that change was in the coarsest materials used by the lowest of the population—that our exports were not increased mainly by the wealthy and the powerful; but that numerous classes of consumers who had never before expended their gains in the purchase of Manchester goods now came into the market to seek them, and returned to us the articles we required in exchange for the materials they wanted for their turbans and their robes; and thus added to our imports more than two millions sterling. That was a remarkable instance of the effect of our legislation, and I want to know whether you have considered—whether you have well considered, what is the present state of India. I need not dwell upon the capitalists who have invested their funds in sugar cultivation, and for whom the hon. Gentleman, then Member for Beverley, was the bail. We know the termination of their career. All those great capitalists have disappeared from the commercial world. But you will have to consider what has been the effect of your legislation upon those poor ryots whom you called into existence as producers by the demand you stimulated for their produce, and for which you paid them by your manufacturing industry. This has been the effect upon India of your great change in the law. The great capitalists have disappeared, and the native producers have shown their sense of your legislation by ceasing to be purchasers of your goods. But what has been the effect of your great change upon the Mauritius? We have heard a great deal about compensation. I will not now enter into the circumstances; but the portion of compensation allotted to the Mauritius was, I believe, 2,600,000*l.* sterling, calculated upon an estimate of 60,000 slaves. What further sums were expended on that colony? I will not read the details; but I have here a document, of which I will give you the result in two lines—a result drawn up, I am sorry to say, by a gentleman — second to none in honour and intelligence, who was once a Member of this House, and who knew, by fatal experience, the ruinous effect of legislation on the Mauritius. This document explains all. Besides the 2,600,000*l.* of capital which, by your vote of so-called compensation, was invested in that colony, besides the expenditure by which, in spite of restrictions the most vexatious, of a system of colonial legislation which can only be accounted for by the fear, the disgraceful fear of the ignorant prejudices of the metropolis, by which 90,000 Coolies were, in a certain number of years, imported into the Mauritius, more than 2,000,000*l.* sterling of English capital was invested in the Mauritius by houses connected with that colony—an unprecedented example of energy and enterprise. And what has been the result? Ruin—utter and complete ruin. I should be wrong, however, in saying, that this is the greatest, the last, or the bitterest consequence of our conduct. No, the bitterest consequence is, that, after having for years filled, in this House, the position of honourable men — men whose acquaintance we were proud to cultivate—men whose intelligence we were only too ready to secure for our Committees—they are held up to public scorn and contumely as unprincipled people—as people who indulged in over-trading, in rash speculation —who have suffered, not from the consequences of our own ignorant and deceptive legislation, but from their own rapacity, and whose fate has been brought on by circumstances which all merchants, at all times, should be prepared to encounter. Well, Sir, this much, in allusion to India and the Mauritius, those countries to which the debate on this question has given, as it were, the go-by. We talk of the West Indies, we argue the case of the West Indies, with all its peculiar and perhaps anomalous circumstances; and we are told that India had no slaves, that the Mauritius had no slaves, and that, therefore, they have no right to complain of our legislation. But, without giving any opinion at this moment as to the West Indies, to which consideration I approach, I say that, of all our mistakes, of all our political errors, there is none more profound or more grievous, in connexion with this subject, than our commercial conduct towards India, and there is none more bitter and heartrending than our behaviour towards the Mauritius. I now come to the question of the West Indies. No one doubts the position of those islands. The hon. Gentleman the Member for Westbury (Mr. Wilson), who addressed us to-night with that ingenuity and that

information which entitle him, at all times, to our consideration and respect — although he qualified his speech with kindly expressions, which might send forth a hope, even to those out of doors whom he may meet on 'Change to-morrow, and to whom he may be able to say, that no word of bitterness had escaped him with reference to the West Indian colonies—the hon. Gentleman, although he indulged in details which, in some instances, I will advert to, but which scarcely at all touch the great question, seemed to convey in dulcet tones to the House his decided conviction that, with regard to the West Indies, the game was up—that the sooner we made up our minds to meet an inevitable catastrophe the better it would be for all parties—and that, for the future, we must sweeten our tea, as best we can, with beet-root sugar—and that there would in future be no occasion to send for this luxury to the tropics. That, I am sure, is not a misrepresentation of the able speech of the hon. Gentleman. Now I am not disposed to deny, that, if the hon. Gentleman is satisfied to sweeten his tea with beet-root sugar, that he may produce that sugar even in this kingdom. But I remember the time when war was made on beet-root sugar. I remember the time when we were told that the existence of beet-root sugar was one of the abuses of protection—that protection created it—that protection fostered it; and I should have supposed that any country adopting the idea of growing beet-root sugar would be voted to have committed an outrage on the principles of the Political Economy Club. Napoleon was in general deemed to be a great general—by some he was supposed to be a greater statesman than warrior; but almost universally it was admitted that he was a very bad political economist, and that he never made a greater mistake, not even when he established the continental blockade, than his forcing the cultivation of beet-root sugar. But this is what the economical oracle now calls the perfection of wisdom. In his idea, beet-root sugar is everything. The beauties of slave-grown sugar must pale before the charms of beet-root. This being the state of the West Indians—this being the acknowledged desperately perilous state of the colonists—what is the course proposed by her Majesty's Ministers? The Chancellor of the Exchequer announced some measures—some proposition as a remedy for the condition he deplores. The measures are announced at the end of the right hon. Gentleman's speech, the whole effect of which speech was to prove that no remedial arrangement could have any beneficial effect. He said he could not flatter himself that his measures would prove entirely satisfactory to the West Indians. I quite agree with him upon that head. I need not dwell upon the suggestions made by the right hon. Gentleman, except as the representative of no inconsiderable constituency — living in an age of economy—trembling for the annual budget during the next nervous fortnight. I beg to declare my disapproval of the vote of 200,000*l.* proposed by the right hon. Gentleman. If I thought the expenditure of 200,000*l.* for the purpose of immigration, would benefit the colonies, I should be the last man to oppose it. But I am quite of a different opinion—I think that the grant would be so much money wasted. I have no idea of encouraging the loose habits of men in the condition of Her Majesty's Ministers, whose want of prescience has forced them into a difficulty, and who think they are to extricate themselves by a vote of public money. If the revenue is so overflowing that the Chancellor of the Exchequer can conveniently spare 200,000*l.*, then it would be the busi of Her Majesty's Ministers to vote it for some useful purpose—they ought to see what best could be done with it. For 200,000*l.* they might pull down the National Gallery and build up another. But it is not at all clear to me that the expenditure of 200,000*l.* for the importation of African labourers into some remote corner of the West Indies could be productive of any good to the colonial interest. I say that the House ought to view with suspicion the suggestions of a Ministry not distinguished at least in this case for its prescience. The hon. Gentleman the Member for Huntingdon (Mr. T. Baring), in his able speech, referred to the declarations of the Government in 1846, when the Bill was proposed. They then said that it would regenerate the commerce of the country—that it would pour capital into the colonies—that it would accumulate labour in districts where it was deficient — that it would terminate once for all the question of colonial distress—of which we have heard so much in that period during which most of us have been Members of this House—and that it would act as a climax and completion of those great measures which they had not proposed, but to their honour—if

it be honour—they had suggested. Have the occurrences of the last twenty months justified their views? Have they increased your confidence in the Ministry since 1846? What evidence is there that the Ministry have so deeply studied the question as to become fitting guides and leaders? The noble Lord the Member for King's Lynn referred to a speech made by an Under Secretary of State, at the fag-end of the last Session. This speech is valuable, because it gives authentic proof of the knowledge of the opinions and prospects on the subject of Her Majesty's Ministers at that period. I have here the extract, and I think it important, as an opinion given by a Member of Government—engaged in that department peculiarly connected with the colonies, that the House should understand what, at the end of the Session of 1847, were the views really entertained by an Under Secretary of State for the Colonies. This was the opinion in 1847. In quoting the words of that Gentleman, I have no wish to speak in terms disparaging of one who is absent. No one more regrets the absence of Mr. Hawes from this House than I do. Few displayed a more lucid intelligence or more complete habits of business than that Gentleman. Irrespective of all party considerations, I look upon the absence of Mr. Hawes from this House as a public loss. But, as I before remarked, I attach importance to his speech, because I believe he conveyed correctly the opinions of the Government of which he is a Member, and would give them matured by his own study, and the naturally critical spirit of his intelligent mind. This, then, Sir, is the opinion of Mr. Hawes, *literatim*, to which my noble Friend referred last night. My noble Friend, whose attention was fixed on this question, who, from the principles which he most conscientiously maintains upon commercial subjects, foresaw the difficulties which were impending, presented a petition which called forth this remark from that Member of the Government who represents the colonies:—

"The noble Lord had confined his attention to the West India Islands; but let him turn to the Mauritius, and he would find that there the greatest prosperity was manifest, and that the production of sugar had immensely increased. He would ask, if it was for a moment to be supposed that these petitioners could be favoured by the admission of their produce free of duty? [Lord G. Bentinck had not made any proposition of that kind, but simply that an inquiry should be entered into.] He was drawing the attention of the House to the petition, and he found that one of its prayers was, that the petitioners should be permitted to have their sugar imported duty free. But, at all events, the noble Lord was in favour of at least 50 per cent being imposed as a protection to the West India planters. Now, if they were to refer to the entire history of the West India colonies, they would find that more complaints were made in that House on the part of the planters during the most palmy days of protection, than had been heard of late years; and the noble Lord might rest satisfied that a system of free trade and open competition would be most beneficial for all parties concerned; that it would lead to greater economy of production, be the means of embarking more capital in the growth and manufacture of sugar, and tend to the general prosperity of the whole population."

I quote this to show what really was the knowledge possessed by the Ministry on the subject; and what is the answer to it? The answer to it is, the fall of every firm of importance connected with the East Indies and the Mauritius—Cabinet councils held four times a week—and the Bank Charter Act virtually repealed; while the Chancellor of the Exchequer was vomiting forth a protest against his own measure. But we come, after the unimportant but avowed remedies, to the secret and inuendo remedies of Her Majesty's Government, in order to prevent the utter destruction of the colonial interest. The right hon. Gentleman the Chancellor of the Exchequer treated us with an explanation of those remedies last night. There were ten minutes devoted to molasses and emigration—to the idea of curing these deep-seated evils by a loan less than the sum which the same Government would expend upon a wing of the New House of Commons; and an hour and a half to the real remedies. And here they are. The first is competition. Sir, we have heard of that before. I remember that the noble Lord, whose absence I regret—the First Minister—that very night on which he did me the honour of following me in debate, on the occasion of our making the last effort, in 1846, to support this interest—I remember that the noble Lord, with that grand manner which becomes him, and which he seems to me never to assume with greater felicity than when he is going to announce something which cannot, in any practical way, influence the conduct of the country — the noble Lord said, he had not only hope but conviction that the means by which the colonies would be able—not to extricate themselves from difficulties, for then they were not involved in them—but to meet all those dangers

which might possibly occur, was competition. Tell a Government of the present day that a million of Her Majesty's subjects, previously enjoying great prosperity, are suddenly involved in almost inextricable difficulty: tell them that the sugar colonies of the empire are in a perilous position, and all classes connected with them—proprietors, merchants, shipowners, labourers—agree in attributing their danger and suffering to our inconsistent and vacillating legislation; and the Government have always one peculiar class of remedies at hand. These remedies appear to consist of a certain number of abstract qualities and cardinal virtues. Competition is always at the head of the list: then follow, you may be sure, energy and enterprise. These remedies are not facts—they are only phrases. What is this competition, of whose divine influence we hear so much? Define it, tell us its sex and character. Is it a demigod or a nymph? It inspires all their solutions of economical difficulties. Is the shipping interest in decay? Competition will renovate it. Are the colonies in despair? Energy will save them. Is the agricultural interest in danger? Enterprise is the panacea. The Chancellor of the Exchequer's speech follows that of the First Minister of the Crown: it is concocted of the same phrases, and modelled in the same form. But I want Her Majesty's Ministers to inform me what they mean by competition. I had always understood that competition meant this at least, that the rivals should be in equal circumstances. My hon. Friend the Member for Huntingdon to-night made a race between a horse and a steam-engine. But I will take an evener and more equal sort of race—a race between two horses. Even between two horses the weights are adjusted, that the struggle should be fair. The essence of just competition is, that the circumstances should be equal between those who compete. Now, I ask you, are the circumstances equal between an English colony under your present system of legislation, and a Spanish colony under the system to which they are subjected? You may explain the circumstances one way; others may contradict your version. But the impartial historian may possibly hereafter describe it thus: "In the Spanish colonies, there is an abundance of labour for which they pay nothing; and in the English colonies, there is a scarcity of labour for which they pay a great deal." Where are the circumstances which constitute an equal competition? You have regulated your conduct by abstract principles without any reference to them, and you find yourselves involved in inextricable confusion. A sage, with whom we are all familiar, has said that "experience is the test of truths, and that practice is always confounding the theories of man." So it is with the artificial rivalry you have created between the Spanish and the English colonies. What is the consequence, in this instance, of your acting upon abstract principles without the least reference to circumstances? Why, that in exact proportion to the labour for which the Spaniard pays nothing, and for which the Englishman pays a great deal, you are creating a differential duty in favour of the Spaniard. You are in fact creating a protection, and not, in a certain sense, inconsistently. You are, at least, consistent in not extending your protection to native industry; for it is not protection to the Englishman you are creating, but to the Spaniard. The free-trade party and the free-trade Government, after all their wonderful promises and astounding prognostications, terminate their career by the establishment of protecting duties in favour of Cuba, of Porto Rico, and of Brazil. It is a consequence of being governed by phrases instead of facts. Competition between Yorkshire and Lancashire — competition between Jamaica and Barbadoes—I can understand; but competition between Jamaica and Cuba, under the circumstances that exist, is only a word invented for Downing-street and St. Stephen's — a phrase intended only for the use of men who are giving you their thoughtless votes, but votes which they will some day remember with bitterness of reminiscence which the hustings only can recall. The hon. Gentleman the Member for Hull seems to be dissatisfied by this remark. I will not stop to inquire what would have been his reception, had he appeared before his constituents as an anti-slavery advocate, instead of an advocate for cheap sugar; yet some years ago at Hull matters were rather different. Hon. Gentlemen opposite are always talking to us about public opinion. I respect public opinion; but I remember the words of a great poet, which should be rendered here in the vernacular—"Opinion is stronger than truth," said Sophocles; and, believe me, there is something in that saying. But although opinion may be stronger than truth, it is only for a time. Gentlemen should recollect that on this subject the history of

England will not exactly offer an emblasoned page. I do not think the history of any country records so much inconsistency and injustice, or can discover a narrative of so much injury inflicted upon national interests, as is exhibited in the matter of the abolition of slavery by the English people; and I attribute it simply to this reason, namely, that we entered upon the enterprise without sufficient knowledge of the subject. It was an exciting topic—it was addressed to an insular people of strong purpose, but very deficient information — it was cherished by a great party as promising to lead to political power. But the course of time, which settles everything, has entombed the greatest blunder that was ever committed by the English people. They now find, that in pandering to the ambition of great men, they have not only incurred immense pecuniary sacrifices, but ruined, perhaps, the noblest appendage of the empire, and stimulated by prohibiting—perhaps even perpetuated — slavery in every part of the world where slavery existed before. But there is another class of observations—and observations of a more business-like character—which are always brought forward whenever we make any attempt in behalf of the sugar colonies of this country. When the Cabinet has spoken—when competition has been represented by the Prime Minister—when energy and enterprise have each been exhibited by a Secretary of State—then the still important, though secondary, Members of the Government advance, to vindicate the authentic sources of national wealth. I see a right hon. Gentleman opposite, a Member of the Government, who represents Manchester. And I remember, year after year, when I had the honour of sitting at the other side of the House, that right hon. Gentleman (Mr. M. Gibson) was always calling our attention to the practical and particular evils of our colonial system. But what particularly interested him was, the danger we thereby incurred to our commerce with the great Brazilian empire. In following my right hon. Friend, I suggested to him that it was desirable we should be as well acquainted as practicable with the resources of this great Brazilian empire. Night after night the right hon. Gentleman and the party with whom he acted were in the habit of demanding of the Member for Tamworth whether he had concluded a treaty of commerce with Brazil; and that, too, whilst they were alleging that they had not the slightest faith in treaties of commerce. In the year 1846 I begged to remind the right hon. Gentleman (Mr. Gibson) of the circumstances of Brazil. I begged to remind him that the European population of Brazil was not equal probably to one-half the population of the metropolis in which we reside, and that the rest consisted of three millions and a half of slaves—that it could not be placed in comparison with an English colony in point of civilisation—and that, of course, it must be deficient in those wants which are the consequences of civilisation, and which are the stimulants to commerce in supplying them. I told him that, after all, putting all the West Indian colonies together, it was a question between the English colonies and the Portuguese colonies; and as I thought the English colonies would afford a far better trade than the Portuguese, I preferred leaning to them. But he was an apostle then of the creed of buying in the cheapest market and selling in the dearest, which he calls free trade. And what is the result of our sacrificing our West India colonies? I do not decide upon any mystical statistics. I now have what Dr. Johnson called "the test of truth;" and I know that test has taught us fatal consequences. The increase of your exports to the Brazils is little more than three times the amount of your exports to a single colony, the last victim of your legislation—the Mauritius. Would it not have been desirable to have shown that the industry of Manchester was greatly supported by the Brazils? I want to know from the right hon. Gentleman the Member for Manchester, or from some other of those fervent disciples of free trade opposite, what is the amount of encouragement given to the industry of Manchester by the trade with Brazil? I see by the papers of this day that the home trade in Lancashire is improving — that it is reviving; but I did not see or hear anything of the revival of the Brazilian trade. There was no news that the 3,000,000 of slaves, on each of whom not a dollar a year is spent in clothing them, had thrown off their check cotton shirts, and put on the attire of Caciques. I have not yet heard that the returns of our Brazilian trade have been replenishing the coffers of the Exchequer. We have now the official evidence of the extent of this boasted Brazilian commerce; and a more sorry account—a more miserable bill of fare (though what we expected) could not possibly exist. If the

Brazils had failed entirely—if a hurricane had swept its coasts and destroyed its cultivation altogether — the calamity would have been one of nature, and one of those hurricane loans which is to save our own colonies might have been applied as a remedy; but our calamity is the calamity of miscalculation, of want of foresight, and of extravagant ideas. Are these the arguments that we have a right to expect from a trembling Government—I don't mean a Government trembling for its existence—it need not fear for that, since every party supports Her Majesty's Ministers. I mean a Government trembling for its taxes and tariffs. We are called upon to give this new commercial system a trial—this demand was made upon us with all the powerful eloquence of the Corn-Law League—that mighty confederation which fills the opposite benches with orators. In former times we were accustomed to give our days and nights to the Greek orators; but now we lay aside Isocrates, and the great Athenian himself, and Lysias, and have become pupils of the Anti-Corn-Law League; and what is the result? Their boasted system of free trade turns out to be a huckstering transaction of purchasing in the cheapest market. We foresaw the injury to our own agriculture from this mean principle. We have been taunted that our predictions have not been realised. Our predictions were not of the hour. We attempted to take a comprehensive view of the question. We looked at the result through the vista of years. Alas! our colonies have not had the advantage of a sugar famine. There was no unprecedented, no unforeseen circumstance that came in and introduced itself to their advantage. They were submitted to the trial of the new system immediately and completely, and it has terminated in their immediate and complete ruin. But then we are told, laying aside the abstractions of the Cabinet—laying aside the statistical considerations of important though inferior Members of the Government, that there is yet a new defence set up by the party opposite. True it is that competition has not saved you—true it is that energy has not yet succeeded—true it is that although we have shown that nearly a million sterling worth of machinery has been transported to the colonies, your enterprise has not been of any avail. True it is that the Brazilian trade has turned out, as I have been told by one of the hon. Gentlemen opposite, on the whole a poor trade enough—true it is that these circumstances are so; but still the English people enjoy cheap sugar. That is a great fact, and notwithstanding all the mutual miscalculations that have been on this economic subject, that great fact will compensate and console a pauperised and long-suffering and laborious people. Well, Sir, I am not disposed to deny that that would be in my mind a compensation—that it would at least bear the character of a practically beneficial result; but I want to know, is there any Gentleman in this House—and we have the advantage of discussing this matter without any reference to party feeling—I want to know is there any Gentleman who can pretend, that if our colonies incur this, if not ruin, this great injury, as we all agree, with very rare exceptions, in considering it—that we have any security of enjoying the advantage of cheap sugar? The sugar-producing countries of this realm give us at this moment 250,000 tons of sugar. According to the belief of all who are interested in these countries—of those merchants who at least testify their sincerity by their ruin, and of those proprietors who at least prove their good faith by giving up the cultivation of their estates—according to their belief, your system—this competition—will end in the British settlements ceasing to give that 250,000 tons — an amount which constitutes one third of the whole produce of the world. But you who are economists—you who take no respect for national prejudices, or for national habits, or for ancient systems of industry that have been long connected with the public feelings of the country—you who are always trying to make two and two produce four, and who sometimes make them produce five—you who do take generally a most severely statistical view of everything—have you, I ask, at all considered what the consequences will be on the European market of the decline of that production, and not only the decline, but the total disappearance of that production? You cannot deny that the necessary consequence of that result, if it occurs, must be a great increase of price. You cannot deny, if the disappearance of these 250,000 tons, or of the greater part of them, takes place, the consequence must be that in the general market of the world there must be a great increase of price. What, I ask, will be the natural consequence of such a state of affairs? Is it not a necessary consequence that you offer a premium for the investment of capital in those countries that can produce sugar at

the cheapest cost? And the countries that can produce sugar at the cheapest cost are the countries that are so flourishing, that in one of them they can have 800 miles of railway, as we find them to have in Cuba. That is my idea of a country perfectly flourishing. A country where they buy in the cheapest market, and sell in the dearest—a country governed by an Anti-Corn-Law League itself, could scarcely be expected to do more for its insular extent than supply 800 miles of railway. Now, mind me, I am not pressing this argument to dilate on the horrors produced by the stimulus which you will give to slave labour. I do not touch upon that subject. After all that has been said upon it in this country, from the days of Mr. Wilberforce to the moment when the noble Lord the Member for King's Lynn produced the drawing that was given to him by Captain Pilkington, I think that there is no more to be said upon it. This is not the period to talk of the glory of your ancestors—to moralise on the great movement that for half a century agitated this country—to tell of the moment when Mr. Brougham was returned for the undivided county of York, because he advocated the abolition of negro slavery. You may tell your children of these matters, as you tell them the stories of Quintius Curtius and the Horatii. You may tell them, as no doubt you will, that such men as Wilberforce and Clarkson were fictitious characters, and—supposing that they are educated, enjoying all the consequences which this new system of trade will introduce—that they are living in a state of society where the commercial principle is predominant, and the imperial principle fallen—still what, I ask you, will be the consequences of the sudden investment of the capital which produces one-third of the sugar which feeds the world. That capital must be found—it would be found, I hope, even in spite of the course you are pursuing, to a great extent in England; and have you calculated the effect upon your capital—the effect on your monetary system, which must be felt from such an extent of investment? We know well what the effect has been of the investment of a few millions in corn, consequent upon a bad harvest; what the effect of over-speculation on the part of a few merchants of the city of London has been on our own productions, but what must be the effect of a demand upon the capital of the world for a vast investment in slave-growing countries? It is not merely that a stimulus will be given to slave-grown produce, but you will create a disturbance in your monetary system. You will create a disturbance in the employment of the capital of the world, which must produce a convulsion that our descendants may not only experience but rue; and in moralising on the consequences they will trace them to the shortsighted, and (I say it meaning offence to no one) the unprincipled legislation which is now followed in this country. I know well, to follow out a phrase that I unintentionally used, how hopeless it is to attempt to influence this House with any consideration which has not its growth in the prosperity of their ledgers. I know how much they have sacrificed to the most mean pecuniary considerations; and I think it is remarkable that all their calculations have resulted in the failure of our merchants, and in the bankruptcy of our colonists. I know very well that it is utterly vain for me to tell you that there are other considerations connected with this subject than those of the price of the pound of sugar. That is all past, and the commercial principle now rules this country. We had an imperial principle in the time of those who preceded us; but you may rest assured, that if you convert the senate into a counting-house, it will not be long before the nation degenerates into a factory. It is not therefore for me to tell you now that it is important to keep these colonies, even if, in a commercial point of view, they may not suit your system. I cannot suppose, if they ultimately cease to be flourishing settlements, that you will be content to maintain them as barren garrisons. Besides, what is the use of garrisons if the course you are following, and the views of great men on both sides, are to be pursued? If we are to have any faith in the revelations that have lately fallen on the public ear, we are on the eve of a period when garrisons are no longer to be required. But an hon. Gentleman has suggested that you might part with your colonies for a consideration. He said immediately afterwards, that of course he spoke only in jest. But why only in jest? There have been countries as proud and as powerful as England, that have at times, when they considered fitting, parted for pecuniary considerations with their dependencies. Spain sold the Floridas at a time when Spain was at the head of one of the great navies in the world. Even the great Napoleon, influenced by that om-

nipotent deity who rules supreme at least on the opposite benches—a deity whom the nineteenth century implicitly adores—sold a beautiful province across the Atlantic to the United States; and if the present economy which has secured to us the blessing of public wealth be persevered in, I do not see why we might not do something in this way also with effect. I see no reason why we should not get rid of these colonies with advantage. I am told that a desperate deputation from the West India interest waited on the noble Lord at the head of Her Majesty's Government and the right hon. Gentleman opposite, and that, finding that all their representations were without effect, they actually did ask them whether they had any objection to the colonies changing their allegiance; and that they got no answer, though I dare say a Cabinet Council was called afterwards on the point. I really cannot see why that unhappy Trinidad, the possession of which every one seems to regret, might not, at least, belong again to the Power that gave it its sacred name. This miserable Mauritius not long since was a most flourishing community when it belonged to France; and it would be, I think, only acting the fable of the dog in the manger with aggravation, to keep it in ruin, and not restore it to France. Even Jamaica, the capture of which made the great Protector so proud that he would not transact any other business on the day that its conquest was announced, would, I dare say, be accepted by the United States if we abandoned it. But, Sir, I may tell the Gentlemen opposite, and I know not whether the hon. Gentleman the Member for the West Riding, to whom I have referred, is present— [A Voice: He is at the bar.] Well, I will tell him then, if he is at the bar, though that perpetuity of peace which he has announced may come even in our time, that there is something in the catastrophe of nations *sævior armis*. These are the *longæ pacis mala*, which were denounced by the great satirist in immortal lines. I need not recall them to the recollection of the House. Happily, the limited experience of ancient Rome did not permit him to include in his indignant catalogue of the causes of national decay the rapacity of rival industries and the quackery of economic science.

Mr. LABOUCHERE said: I wish to take the present opportunity of offering a few observations; but I can assure the House I have no desire unnecessarily to prolong them. I feel that, by the speech of my right hon. Friend the Chancellor of the Exchequer, the views and intentions of the Government were so clearly explained, that nothing is left for me to add to his statements and arguments. I will also say that in the course of this debate, almost every question incidentally connected with the subject now before us, has been so fully gone into, that I should have no excuse at this hour of the night in again going over ground with which the House is familiar. Nevertheless, the importance of the question is such, that I feel, considering the connexion I hold with the Government, that it would not be becoming in me to allow this debate to close without making some remarks on the topics that have been introduced in the course of this discussion. If the policy announced by the Government receive the support of the hon. Gentlemen around me, I believe that support will not be given from the motives attributed to them by the hon. Gentleman who last spoke; it will not be given because they are disposed to conciliate the pecuniary interests of their own immediate constituents, and to betray on that account those great imperial concerns which it is our bounden duty, as the head of a mighty empire, to maintain; but because they believe that all these interests are in truth the same and identical, and that the principle of free trade is the best for England, and for all the dependencies of its widely-extended and glorious empire. I will admit to the hon. Gentleman, that if this House were of another opinion, and, having altered its conviction with regard to free trade, were disposed to retrace its steps, it could not take a fitter occasion for signifying its changed views than by re-enacting the principle of protection for the West Indian colonies; because I admit, with pain, that if deep and intense distress can constitute a claim for exceptional measures, that claim is possessed by this portion of our colonial empire. It is true that the cry of distress has proceeded from the West Indian colonies on many former occasions—under the slave-trade system, under the slavery system, and just before the period of emancipation. Almost ever since, too, the cry of distress from those colonies has been raised at frequent intervals. I will not now enter into the question, whether the distress is now more severe than at those former periods. All that I think necessary for my purpose is to

admit, which I do most frankly, that the distress is now most severe, and that any measures of relief that can be afforded by the Government and the Legislature, consistently with justice to the general interests of the community, and with permanent benefit to those colonies themselves, it is our duty, without delay, and without wasting time in further discussion, to apply. It so happens, on the present occasion, as is not uncommonly the case in this House, that the Motion in the Speaker's hands is not in reality the question discussed. The Motion of the noble Lord opposite is for a Committee of Inquiry on the present condition of the West Indian islands, and other colonial possessions. With respect to that question, I know not what course the noble Lord may pursue, for he has received advice from many Gentlemen connected with the West Indian interest to the effect that he had better not press for the appointment of the Committee. On that subject I shall not presume to offer the noble Lord any advice; but if he, on behalf of the West Indian interest, should determine to press his Motion for the Committee, the Government will lend him every aid in the investigation, with the view of deriving from it whatever benefit it is calculated to afford. To move for such a Committee is certainly not the course which the Government themselves would have originated; but it has been the general practice, whenever any distressed interest come to this House and asks for inquiry, to grant it. As I said before, the Motion in the Speaker's hands is not the question which has been discussed; the real question that has formed the subject of debate, has been whether the principle of protection should be continued in the West India islands as a remedy for their distress? To that question I think that the Government are bound to give an explicit answer. They are bound not to hold language which would leave any uncertainty on the minds of the colonists; and it is because we believe that that protection would not be really beneficial to the colonies, if it could be granted, and because we think that it would also be impossible to secure it to the colonies, we feel it our duty to declare against it. Even if I were to assume that protection would be beneficial to the colonies, I believe that the House could not grant it in such a way as to secure to it them. If the price of sugar were to rise to a high degree, how could the present House bind its successor not to reverse any former decision that might have been come to with the view of protecting the West Indian interest? Those who recollect that in the last seven years there have been five or six Sugar Bills, can be at no loss to account for the confusion in which the merchants and planters, and all engaged in the trade, have been involved. On a former occasion I urged those considerations on the House as forcibly as I could, and I now repeat them. I can conceive a trade flourishing under either a restricted or an unrestricted system; but I cannot conceive one flourishing under a system perpetually altered, in which neither planter nor merchant knows what to expect—a system of constant change and uncertainty. Yet what are we asked to do? The Legislature having come to a final settlement of the question as far as regards the principle of protection to the sugar of the colonies, we are asked to reverse that decision, prolong protection for some indefinite period, and open again that chapter of uncertainty which has before involved everybody in the confusion and doubt such a system entails. This is what Her Majesty's Government cannot consent to do. Hon. Gentlemen have taken various grounds on this question; some have asked for protection for the produce of British colonial against all foreign-grown sugar whatever—that, I believe, is the position of the noble Lord? [Lord G. Bentinck: No.] The West Indian interest ask, I believe, for protection against foreign slave-labour sugar, leaving themselves still exposed to competition from foreign free-labour sugar; and in their memorial it is curious to observe that they do not ask this protection of 10*s.* a cwt. for a permanence, but only "for such a period as shall enable them to be fully supplied with labour." The request thus qualified assumes the position that, if fair play be given to the colonies, they can successfully compete with the slave-labour sugar of Cuba and Brazil. I am glad to receive such an admission from such a quarter; it is most valuable, and gives a complete contradiction to those who bid the colonists despair of ever being able, by any assistance, to compete successfully with the slave labour of other countries. On this subject I retain the opinion I have always held—that, if you are to protect colonial sugar at all, it is perfectly idle to draw a distinction between the foreign sugar that is grown by free, and that which is the produce of

slave labour. The only practical way of protecting colonial sugar is to impose a differential duty against all foreign sugar whatever. Though you may nominally exclude foreign slave-labour sugar, and by that means appear to discourage the cultivation of those places where slaves are employed; yet it comes practically to the same thing whether we take slave-labour sugar ourselves, or, by withdrawing free-grown sugar from the other markets of the world, leave them open for slave-labour sugar to supply its place. There is no practical difference; and no difference that would be sufficient to compensate us for the embarrassment in which the commerce of the country would be involved by depriving it of direct communication with such great marts as Cuba and Brazil. I have always differed from those who think we are bound to exclude slave-grown sugar on the ground of humanity; I think the arguments rest on a most transparent fallacy; if you take foreign sugar at all, it is hardly of any consequence whether it is slave-grown or free—practically, slave labour is encouraged in either case; you must make your choice either to exclude all foreign sugar or not; you cannot draw a distinction between what is the produce of slave labour and what of free. The hon. Gentleman (Mr. Disraeli) has adverted to the case of the Mauritius: before I notice his remarks on that subject, I cannot help noticing his observations, when he said, that the names of merchants who have been ruined by their connexion with that colony have been treated with scorn and contumely. I have heard from no one any expression of a feeling of that description. I, for one, cannot regard the calamities that have fallen on many honourable and excellent men without sympathy and compassion; and I do not think the observations of my right hon. Friend the Chancellor of the Exchequer with respect to what he conceived to be the faulty system they pursued, can be justly described as implying scorn or contumely; nor do I think a charge of over-trading implies any imputation on the honour of those against whom it is made. It is common to human nature for men, attracted by the prospect of lucrative commercial speculations, to engage in them in a manner that may turn out unprofitably. This has often happened to the most wise, prudent, and honourable merchants; and it is not held an imputation upon them. But I think the case of the Mauritius exemplifies strongly the evils of a system of protection. The Mauritius has been an eminent victim to that system. What is the case? It cannot be said it wanted labour, for labour was provided in abundance; but, attracted by the prospect of high prices —prices that could only be expected under a system of protection—the merchants and others engaged in speculations of great extent; and a great deal of poor land was taken in and cultivated when wages were very high, and an artificial state of things was produced that could never exist except under an artificial system. Had the trade in sugar been in a natural condition, I believe the island would never have got into such difficulties; as they are distinctly traceable to the system of protection, which is held up as a panacea for the embarrassments of other colonies. I do not think we could do a worse thing for the Mauritius than to advise it to resort to a similar course for the future. Take, again, the case of India; an hon. Gentleman connected with the East Indies (Mr. Bagshaw) has spoken to-night; and I am glad he did, because the House must have remarked that the cry of distress does not come from the West Indies alone. In the East Indies the staple of their manufacture has suffered in the same manner, and the merchants' prospects are injured in the same way. That is enough to show that the cause is not a particular or special one; we must look for general causes, for special reasons, that have affected the produce of sugar throughout the whole range of the British possessions—for causes that have, during the past year, brought injury upon every part of the commercial system. I hope the West Indians will not listen to those friends who tell them that, under no circumstances, can they successfully compete with slave labour: if that is true, I think they would be justified in abandoning themselves to despair; but I consider the position to be anything but true. There are some broad facts to which I wish to call the attention of the House. In the first place, without going into any nice calculations on the subject, for the House has already heard them put more effectively—especially by my hon. Friend the Member for Westbury—it is notorious that in the face of the competition of Brazil, Cuba, and other slave-cultivated countries, a great exportation of free-labour sugar has gone on to the Cape of Good Hope from Java and other sugar-producing

colonies. Some doubt has been thrown upon the fact of the labour in these colonies being free labour; but this House—or at least the predecessors of this House—certainly legislated upon the supposition that labour was free in Java, and in the other colonies which have been referred to. But it is a remarkable circumstance that, even in those countries where sugar is now cultivated by slaves, the planters are so little satisfied with slave cultivation, that they are taking measures to introduce free labourers into the colonies. Information has lately been communicated to me of what is going on in Cuba in this respect. I find that a committee—the Junta de Fomento—has been formed there, under the presidency of the Captain General of the island, the object of which is the general improvement of the cultivation of the country; and this committee has promised considerable premiums to such planters as shall introduce white labourers, and has also made contracts for the importation of labourers—of whatever nation—from Europe as well as from the Canary Islands. Great difficulties are found to exist with regard to the importation of Europeans; but so far from being discouraged, the committee have endeavoured to ascertain whether they cannot obtain a supply of free labourers from some other quarter, and they have taken measures for introducing Asiatics into Cuba—an experiment which, I understand, is now going on with every prospect of success. The committee contracted, in the first instance, for the importation of 600 labourers from Asia, and they propose eventually to increase the number to 3,000 if the results are satisfactory. This step met with great opposition from those persons in Cuba who are interested in the slave trade; and though it is impossible, at present, to speak with certainty of the success of the experiment, it is clear that very active measures are being taken to introduce this class of labourers into the island. I find in a Spanish newspaper the following letter from the Havannah, dated December 9, with reference to this subject:—

"I promised to let you have my unbiassed opinion as to the new importation of Asiatics, and this I am now about to do, having previously gathered information on the subject from the planters most worthy of credit and most respected. This Asiatic race resembles the Andalusian horses in this respect—that their good or bad qualities depend entirely upon those who manage them. Those persons who imagine they can derive the same advantage from the Asiatics as from the negroes by the system of rigour, are mistaken, as the former are not so strong, and, moreover, they perfectly recollect they are not slaves. However the planters of judgment who have carefully observed them, have excited their avarice (their predominant passion), and by paying the active ones better than the idle, have succeeded in stimulating them, with very satisfactory results; so much so, that a very intelligent planter, one of my friends, has told me that if he can find any to join him, he will enter intoa contract to import 1,000 Asiatics in case the Junta de Fomento no longer desired to have anything to do with the business."

The cost of the passage of these Asiatic labourers from China to Cuba is 34*l.*; their yearly wages are 20*l.*, and the annnal expense of their board and clothing 20*l.*, making the yearly cost of each labourer about 40*l.* The hon. Member for Buckinghamshire has made one broad announcement, in which I think he will not be borne out by the feelings of this House or of the country. He said, I think, that the existing state of things showed that the abolition of slavery was the greatest blunder ever committed by this country. I must say I admire the intrepidity of that assertion; but I do not think it will find a response in the breast of any other man in this House. I do not believe that this House or the country has any reason to regret the step they took in the abolition of slavery; and this brings me to a subject connected with the question under consideration, which, I think, has not been adverted to in the course of this discussion, but which cannot altogether be left out of account when we are considering the general condition of our West Indian possessions. I refer to the condition of the great body of the labouring classes in those colonies. I believe that all the accounts which have been received from our colonies, up to the latest period, bear testimony to the perfect good conduct and the general social improvement of the black population of those colonies; and however much we must regret the distress in which the merchants, planters, and possessors of estates in our West Indian colonies are at present, but I trust only for the present, involved, it must be satisfactory to find that, as far as regards the condition of the great body of the people, the intentions of this House and of the country have been carried out, and that their present position affords a most gratifying contrast to their position while the system of slavery existed. They are showing themselves worthy of the freedom which was given to them; they are acquiring habits of civilisation and order; and we may trust that their part at least

of the great experiment we have tried will not turn out a failure, but that we shall see these people fitted to exercise the rights and duties of civilised life, and fulfilling their obligations as good citizens and as faithful subjects of this country. There is one other question upon which I wish to say a word or two, and that is a point on which I find a most material difference of opinion existing between the West Indians speaking for themselves and the West Indians speaking through their advocates in this House. I allude to the question of the navigation laws. I know that some of us are taunted here with pretending to understand the affairs of the West Indians better than they understand them themselves. I hope, however, that hon. Gentlemen opposite will allow the West Indians to speak for themselves on the subject of the navigation laws; and I think, if they are to be trusted as being able to understand and appreciate the consequences of a relaxation of those laws in their favour, they will not consider the intention announced by the Government to meet their wishes in this respect so utterly futile and immaterial as it has been described by hon. Gentlemen on the other side. I will read to the House the language held on this subject by no light authority—by the assembly of the largest of the West India islands, Jamaica. They ask, in an Address to the Queen, that they may be permitted to enjoy a free commercial intercourse with all nations, and they say—

"Your memorialists could point out the advantages possessed by the island of Jamaica for becoming a commercial depôt, especially as to position with respect to both continents of America and the surrounding islands. If the navigation laws were withdrawn, foreigners would bring assortments of goods from Europe, Asia, and North America, and other foreigners would come to purchase and re-export these; and, as the Government of England already permits the abolition of all differential duties hitherto enforced for the protection of her manufactures, no injury could arise from an extension of this permission and a relaxation of the navigation laws. The benefit to Jamaica from such relaxation of the navigation laws would be infinite; it is the most desirable boon that her inhabitants could solicit or receive from Your Majesty's Government; it would aid Jamaica out of her difficulties: it would be hailed with exultation, and acknowledged with every sentiment of gratitude and respect; and it would be an honourable and generous concession on the part of Great Britain, which would exalt her in the esteem and admiration of all other nations."

But as this question must come before the House on a future occasion, I will not enter further into the subject. I must say, however, that if the West Indians are to be trusted as knowing their own interests, I think a relaxation of the navigation laws in their favour will be no light boon; and I will add that, as Parliament has determined that, at no distant period, no preference shall be given to the produce of our colonies over that of foreign nations, I think Parliament is bound by every principle of justice to provide that the colonists shall have unlimited power to take their freights to the vessels of any other country which it may be their interest to employ. I have omitted to advert to one point which I should be very sorry to overlook—I mean the somewhat extraordinary proposal of the noble Lord the Member for Lynn (Lord G. Bentinck) as to the manner in which we might most effectually put down slavery. The noble Lord proposed that, inasmuch as a large amount of money is due from Spain to bondholders in this country, we should simply seize the island of Cuba for payment of that debt, and make it over to the Spanish bondholders, and then we should have very great facilities, of course, in putting down slavery there, and stopping the slave trade. I do not know whether the noble Lord made that proposal seriously; but if he did, I must say at once, considering the distinguished position he holds in this House, and that he speaks not only for himself but for a large political party—["No, no!"]—that I do think it would be a most unjustifiable act on the part of this country. I feel it right to speak thus, because I know that such a design has been imputed to the English Government—I have seen it in American newspapers; and as it has been proposed in his place in Parliament by so distinguished a Member, I considered myself bound to say that I conceive it would be a most unjustifiable act. I must not sit down without doing an act of justice to a Gentleman who was alluded to by my hon. relative the Member for Huntingdon (Mr. T. Baring)—I mean Mr. Price. I have no acquaintance with that gentleman; but my hon. Friend having stated what he did respecting him, and a letter from him having been put into my hand, I think it due to him that his statement should be read to the House. Mr. Price, writing to Mr. Hawes, says—

"I am told that Lord George Bentinck intends to cite the case of Worthy Park as favourable to his views. I therefore briefly mention to you that, having increased the cultivation, and made the

labour efficient which was said to be defective, the merchants sent out a new mill in 1845, with ten serious defects in its construction, as pointed out by the engineer selected and sent out by themselves. This unfortunate mill broke, and caused the loss of about 8,000*l.* worth of produce. In 1846 the water power went down to three horses, and there being no other power on the estate, half that crop was lost. In 1846 and 1847 an engine was erected with great labour and at great expense; the crop of 1847 was injured to the extent of at least 200 tons of sugar by the engine not having been sent for nine months after it was ordered:—

The loss from these causes	£ 9,300
The price estimated at	4,700
	14,000"

He then goes on—

"Under such circumstances it is not surprising that there should be a balance due to the trustees. This was charged to my mismanagement by those who were interested in causing the removal of any one entertaining the unpopular views I did in Jamaica. An impartial examination, however, of the past before several legal and perfectly competent parties has led the trustees to a very different conclusion as regards my management, and I return at once to manage the estate, and I hope that by August next I may be able to disprove Lord George Bentinck's views, and be in a better position to make out a fair case with those who interest themselves in the sugar question."

Now, I will not trouble the House at any greater length. I will only say that with the most sincere sympathy for the distress which we acknowledge exists in the West Indies, with the most perfect disposition to relieve that distress by every fair and legitimate means, we do not believe that we should consult the real interests of those colonies—we do not believe that we should do our duty to the great community to whose interests we are bound to look and protect, if we held out any hopes, as far as we are concerned, that we could advise or support the principle of further protection to the sugar-producing colonies. It is our duty to declare that plainly. Hon. Gentlemen opposite have said that if this opinion of the Government is ratified by the House, the doom of the West Indian colonies is pronounced. I hope they are mistaken in that opinion. I cannot but hope that in the situation which those colonies command—with the fertility of their soil, the advantage of their climate, the opportunity of their ports—better times may be in store for them. This at least is certain, that under a system of protection they have not flourished. There is no British interest which has so frequently or so severely been oppressed by the most calamitous circumstances. This has been their fate under a system of protection. I most sincerely hope, and I sanguinely expect, that under a different system they may see better times. We are taunted, indeed, with always recommending independence and exertion and self-reliance, rather than appeals to Parliament for help. It is true that we have held that language more than once, and addressed it to more than one interest; but it is because we are convinced of the truth of that doctrine. It is because we believe that no interest really or permanently flourishes which is not enabled by its own energy and self-reliance to maintain its ground in a fair field. It is because we believe that the mightiest fabric supported by props that are unsound and rotten, can be sustained by them only for a while, to make its fall more complete and the crash more loud. The principle of free trade has been recognised as the principle on which Parliament and the country should act; if Parliament be disposed to retrace their steps, and restore protection, let them frankly declare it, and place the government of the country in the hands of men who have supported consistently the system of protection. But, for us, we must discharge our duty according to the lights of our reason and our understanding; and we are convinced that we shall best discharge it by adhering to the principles which, after long experience and consideration, were so recently adopted by this country.

Mr. GOULBURN: I feel, in common I believe with the rest of the House, that it is desirable for this debate to come to an end to-night. But I trust the House will allow me to make a few observations on this subject, in respect to which I stand in many respects in a peculiar situation. I thought it my duty in 1846 not to offer any opposition to the proposal then made by the Government with respect to the sugar duties. In taking such a course upon that occasion, I gave evidence that I had divested myself of those feelings which properly belonged to me as a colonial proprietor; and I adopted a course which, as far as the interests of the colonies were concerned, appeared to me then to be of a most doubtful character. But balancing against that the inconvenience which the general interests of the country would have sustained from another change of the Government at that particular period, I felt it my duty to give a preference to the general concerns of the empire over the particular interests of the colonies in which I had a deep and permanent stake. And I think that this very circumstance of the colonial interests

having been postponed to the general interests of the empire, gives them a stronger claim upon the favourable consideration of Parliament. That they are in a state of great distress and difficulty, nay, I will say, of the utmost danger, is admitted, I believe, by every one who has addressed the House; but I do not think that the importance of this question has been sufficiently weighed by the Government, and the hon. Gentlemen who support them, if I am to judge of the views they take of it from the speeches which they have delivered upon the subject. It would appear, indeed, from the speech of the right hon. Gentleman the Chancellor of the Exchequer, that this was a case merely concerning the interests of the proprietors of the West Indian colonies. But that is not the case that is before the House: the question embraces far more than that. It involves not merely the interests of those proprietors and of the families dependent upon them, many of whom are reduced from a state of affluence to one of absolute beggary and ruin—not a few of them helpless widows and orphans, who had no means of support but the produce of estates in those colonies—it involves consequences affecting the general population of those colonies, affecting the national honour, affecting the good faith of this country, and its character for humanity and benevolence which it has on former occasions professed. The right hon. Gentleman who has just sat down, following the example of the right hon. Gentleman the Chancellor of the Exchequer, has told us that the question before the House is whether we shall have a general system of protection or not? I deny that that is the question. I am not standing here to defend the erection of the interests of one class upon the downfall of the interests of another; nor will I admit that this is a case in which the question of protection comes to issue. The right hon. Gentleman who has just sat down told you that he can well conceive a case in which, under a system of protection, particular interests may flourish, and the country be materially benefited; and he has told you that he can also conceive a case where, if the principles of free trade are followed to the utmost extent, prosperity may be the result; but he has stated that it is impossible to combine the two systems, and by an alternation of protection and free trade to regulate commerce so that it shall be profitable to those who conduct it. I agree very much with him; but does his course upon this occasion correspond at all with the doctrine he has laid down? What has been the course pursued by Parliament? Parliament has professed that slavery should be abolished—Parliament has professed a desire that free labour should have a fair trial, and that the produce of the West Indies should be raised by free-labourers—and after repeated discussions what has been the result? Why, that those colonies have been forced into competition with slave labour, whilst they have been labouring under the disadvantage of restrictions imposed upon the introduction of free labourers. When the right hon. Gentleman asserts that we require protection for the colonies, I say that he completely misrepresents the case. The case which the colonists advance is this: they say—

> "By the course which the Legislature has pursued we find ourselves in a situation of great danger, we occupy valuable possessions of the Crown which merit the consideration of Government, and it is the duty of the Executive to devise means by which we may be extricated from the unhappy position to which the vacillation of the Legislature and the changes of policy on the part of the Government have reduced us."

For one thing at least the colonists have to thank the Government—there is no ambiguity as to their intentions. They declare that they are fully aware of the unfortunate predicament in which the colonists are placed; but they leave them on the road to ruin with some little pity, accompanied with a slight reproach for their misconduct; but they suggest nothing in the way of remedy, excepting some of the most inefficient palliatives that ever, perhaps, were submitted to a deliberative assembly upon such an important occasion. What is the conduct of the Government on the question of protection? The colonists say, "We are British subjects; and if you will insist upon the principles of free trade, we are entitled to all the advantages which can be derived from the adoption of them—we claim to have our produce placed on an equality with that of the mother country." They seek to have their molasses used in breweries and distilleries. "Oh! no," says the Chancellor of the Exchequer, "we must protect the revenue; and protection to the colonies does not allow of protection to the revenue." The colonists complain, and justly, of the high duty imposed upon rum. What says the Chancellor of the Exchequer to that? Why, that he must protect the British distillers; and that he cannot afford to

protect the colonies at the expense of the British distiller. The colonists next demand permission to obtain all the benefit they are capable of deriving from the immigration of free-trade labourers. "No," again says the Government, "we must protect the unhappy Africans." By the way, the manner in which the Government protects the Africans is by stimulating to an extraordinary degree the slave trade carried on for the supply of the Cuba and Brazilian markets. That, doubtless, is done with the view of maintaining that important trade with Brazil of which the hon. Member for Lancashire has favoured us with the result. The hon. Member told us that before the alteration of the sugar duties in 1846, 44,000,000 of yards of the common dyed and printed calicoes were annually exported to Brazil; and that subsequently to the alteration of duties 54,000,000 of yards of those articles had been exported to that State; and he added that when they came to look at woollens, they would find the ratio was in the opposite direction. What does that fact indicate? Does not the hon. Member know that those articles are the means by which the traffic in slaves is carried on? The calico is carried to Africa, and exchanged for slaves. Thus, our manufacturers are in fact furnishing the Brazilian planters with the means of purchasing slaves, by whose extorted labour they are able to undersell the West Indians in the market of the mother country. When the hon. Member tells us that the inhabitants of Lancashire are desirous to extend this branch of trade with Brazil, I can only say that they are acting in direct opposition to their former declarations against slavery and the slave trade. [Mr. Heywood: I expressed the opinion of only one individual upon the point referred to.] I am glad that the feeling in favour of Brazilian sugar and Brazilian slavery is confined to one individual in Lancashire. The Chancellor of the Exchequer has told us that the planters are themselves to blame for their misfortunes, because they have not improved their estates—because they have not resided in the colonies—and because they have not laid out sufficient capital in machinery for conducting their operations. Now, it happens that the most decisive evidence in contradiction of all those assertions has been furnished by the Government, and is at present lying on the table of the House. If the Chancellor of the Exchequer had taken the trouble to look into the last annual report on the state of the West Indian Islands, he would have found that the Government officer had represented that the efforts for the improvements of agriculture, for the erection of machinery, and for its skilful application to the cultivation of the land, exceeded anything that had been done of the same kind in any country, however advanced in civilisation. These documents all show that the planters are actuated by the greatest desire for the improvement of the land; and I do think it rather hard that, now finding themselves left without any further capital to expend, the only chance left to them of extricating themselves from some of the more pressing of their difficulties is by disposing of the machinery erected on their estates, which is carried to Cuba and Porto Rico, there to be employed in the manufacture of slave-grown sugar. The West Indian proprietors had always placed confidence in the faith of Parliament, and that faith had invariably been violated. They were told in the first instance that they should receive compensation for the abandonment of slavery proportionate to the number of slaves they possessed. They were told also that to enable them to bear that extraordinary change—from a state of general slavery to a state of general freedom—that the slaves should be subjected to seven years' apprenticeship. They relied on these pledges, and then the House of Commons passed a resolution declaring that the abolition of slavery should be total and immediate. True, that resolution was subsequently rescinded; but after the House had agreed to a resolution in favour of immediate emancipation, the colonists felt that if they were to have attempted to act in opposition to the spirit of that resolution, an insurrection must have ensued. Under the advice of the Government, the colonists were forced to abandon the remainder of the apprenticeship system. I know an instance myself in which this transaction took place. Freedom was to occur at a particular and specified date, and many means were used to prepare the minds of the slaves for that great change. Prudent proprietors built houses on their property; they made arrangements for gradually liberating the slaves. Those who had been long connected with their estates, and had well conducted themselves, and who were thought likely to be thereafter profitably employed by them in the cultivation of their estates, were from time

to time granted their freedom; but your abrupt termination of the apprenticeship arrangement defeated all these efforts of the proprietors. The capital which they expended, and which, if the apprenticeship system had continued, would have proved a source of wealth to themselves, and have conferred upon the slaves a great and permanent benefit, was by the termination of that system entirely thrown away. Again, when in 1846 this House exposed the colonies to an unlimited competition with foreign-grown sugar, the produce of free labour, arrangements were made by the colonists which would have prepared them to encounter that competition. They expended a large portion of their property with a view to enable them to do so, in the improvement of their machinery, and in increasing their means of cultivation; but if they could have had any idea that the time was to come when they would have to compete with the slave-grown sugar of Cuba and Brazil, they never would have expended a shilling of their money for such an object, If, therefore, the West Indian proprietors are now in such a state of destitution as will not admit of their making any further improvements in the cultivation of their estates—if they are unable to furnish the funds necessary for that purpose, or even for the purpose of keeping their estates in cultivation at all—and I appeal to any man who is aware of the condition of the estates in Jamaica whether I am not speaking the truth when I describe such to be the actual condition of the planters—if, I say, they cannot furnish these funds, it is from no act or fault of the planters themselves; it is from no want of prudence or energy on their part; but it is from the acts of those who, having compelled them to expend their money previously without profit, have deprived them of the means of continuing the cultivation of their estates. I am not one of those, I confess, who think that free labour may not be successfully employed in the cultivation of sugar in the West Indies. The attempt, however, when actually made, is a very difficult one, and one which requires great care on the part of those who have to carry it into effect. Every error such as those I have represented to the House, being committed in an early period of the transaction, must have had, and has had, a fatal effect on the successful result of the measure. We are told that after the Emancipation Act was passed, there was a large body of persons in Sierra Leone who might at once have been removed into the colonies, being in every respect capable of rendering very useful assistance in the cultivation of the estates as free labourers. But were those persons ever sent to the colonies? No; on the contrary, every obstacle was thrown in the way of their going to the West Indies when ample funds were ready to transport them thither; and when every person connected with the colonies was disposed to make efforts sincerely to carry out the great experiment of cultivating their estates by free labour, whether black or white. The right hon. Gentleman who has just down has said, in confirmation of the success of the free-labour system, that in the slave colony of Cuba they are attempting to raise a system of free labour; and, therefore, says the right hon. Gentleman, it does not necessarily follow that the use of sugar grown in Cuba is the use of slave-grown sugar; because the idea of sugar being raised in that island by means of free labour is not necessarily excluded. Now, if I am not much mistaken, I can explain the transaction to which the right hon. Gentleman has referred. In 1845, when the law was passed which restricted the importation of foreign sugar into this country to free-grown foreign sugar, there was an eager discussion raised in Cuba whether it would not be advisable to place themselves in such a position as to be able by means of the liberation of their slaves to obtain the admission of their sugar into this country. Then it was that the immigration of free labourers into Cuba took place, for the right hon. Gentleman has told us that this immigration happened in the succeeding year; therefore the Coolies must have been sent for at a long antecedent period. These were sent for by the proprietors at Cuba to enable them to grow free-labour sugar to be introduced into this country. This was under the Act passed previous to 1846; then came the Act of 1846; and what happened? Was any zeal shown, after that Act passed, for introducing free labourers into Cuba? No. From the moment that statute was promulgated, the whole of those efforts made in Cuba for the cultivation of sugar by means of freemen were abandoned; and the proprietors resorted with tenfold vigour to slavery and the slave trade, renewing the dreadful horrors of the middle passage, till the crossing of slave ships from the coast of Africa to Cuba was attended with all the enormities which

I remember in my early days to have heard so forcibly described in this House, and which made so strong an impression on the good and benevolent feelings both of Parliament and of the country. What has occurred with respect to this freedom from slavery in the West Indies, is very much indeed what Mr. Burke, with his prophetic wisdom, foretold, when the question for the abolition of the slave trade was first under discussion. He felt, as every man of honour and of humanity must have felt, the horrors of that trade as then being carried on; but he took the liberty, while approving of the Motion of Mr. Wilberforce for the abolition of that trade, to give this warning to the Parliament of that day. He

—"reminded the Committee that it was necessary to look further than the present moment, and to ask themselves if they had fortified their minds sufficiently to bear the consequences of the step they were about to take. When they abandoned the slave trade, the Spaniards and other foreign Powers might possibly take it up. Had they virtue enough to bear the idea of another country reaping profits they had laid down, and to abstain from that envy natural to competitors in trade, so as steadily to pursue and firmly to adhere to their determination? If so, let them thankfully proceed to vote the immediate abolition of the slave trade. But if they should repent of their virtue (and he had experienced miserable instances of such repentance), all hopes of future reformation would be lost, and they would go back to a trade which they had abandoned with redoubled attachment, and would adhere to it with a degree of avidity and shameless ardour to their own humiliation, and to the degradation and disgrace of the nation in the eyes of all Europe. These were considerations well worth attending to before they took a decisive step in the business. If they had virtue enough so to act, they would do themselves immortal honour, and would succeed in the abolition of the most hateful traffic that ever the hardened heart of man could bear."

These were the words of Burke with respect to the slave trade, and they might be applied with equal force with respect to emancipation from slavery. Have you virtue enough to adhere to your determination, and to the rule you have laid down? or is a penny in the pound in the price of sugar a sufficient inducement to lead you to abandon all those high principles which you have professed in favour of the cause of humanity, and all those measures which you have adopted for raising those degraded classes of your fellow-creatures, who have hitherto been doomed to slavery, to a more civilised state of being? It is, I confess, mainly with consideration as to the effect which this measure must have upon the national character, and upon the ultimate fulfilment of those objects which this House must ever have in view, that I have heard with deep regret the determination of Her Majesty's Government not to adopt any means to afford relief to the suffering inhabitants of the British colonies. Why, Sir, no man who lent his willing aid—and none did so more willingly than myself—to the measure of emancipation; no man, I say, could have had any other views but these—one being the immediate rescue of his fellow-beings from the degraded state in which they were placed; and the other, the proud ambition of being enabled to give to Europe and the world an example and a proof that a state of freedom was compatible with the real interests of a people, and more conducive to their welfare than by carrying on the slave trade. But what does our conduct show the world? It shows that in those colonies where freedom has been adopted, the people are entirely ruined; while those islands which adhere to the slave trade and to slavery are in a state of continued and advancing prosperity. We are told that we ought to reside on our estates; and the right hon. Gentleman has alluded to Guadaloupe, where he says the people are suffering very severely; but, at all events, they are not suffering under the operation of free labour; and yet we know that the proprietors of that island are generally residents. In Jamaica, also, there are many resident proprietors; but those are the men who suffer the most, because the non-residents are able to raise funds from their connexions in this country, by which to carry on the cultivation of their estates. The right hon. Gentleman has also told us that the West Indians have always been complaining, and that though the House of Assembly has detailed instances where estates have been abandoned, yet in the time of Bryan Edwards they were abandoned also. Facts, however, show that this state of things, though apparently the same, is essentially different. The right hon. Gentleman told us that in Cuba all the old properties were in a state of decay, but that the new properties were thriving and prosperous. The case was the same in the time of Bryan Edwards, and will be the same in all the new West India colonies; for where you have a fresh supply of labour, it will be found more profitable to abandon the old estate and cultivate a new one. I have myself abandoned an estate, not a great distance from that which I now occupy; and the reason why labour has been transferred in the West Indies from

the land fromerly cultivated, is, that new land is more profitable to work. In the same way, in Cuba also, cultivation has been transferred from old and exhausted lands to a virgin soil. With respect to the remedies which the right hon. Gentleman has proposed, I really think that, under all the circumstances of the case, it will scarcely be necessary to advert to them. The greater part of them must, I am sure, appear to be utterly insufficient and of no avail. Tobago, indeed — the happy island which has been visited with a hurricane—is to be assisted by the resources of the State; but other colonies, which are also left in a state of utter ruin, though not produced by the act of God, are not to have any assistance extended to them. With respect to the alterations in the navigation laws, it is impossible, without a knowledge of what those alterations may be, to express any opinion upon them. The navigation laws in the mouths of different persons have different meanings; and until it be seen what alterations are to be introduced, no man should hazard an opinion as to the evils which may or may not be remedied by their repeal. I have said that in the present question, not only the case of the planters is involved, but that of the free population of the West Indian colonies. It will be found that in Jamaica that portion of the population is now divided into two distinct classes, the one receiving wages, and making advances not only in industry but in education, and forming a part of useful and civilised society; the other abandoning the cultivation of estates, and retiring into the fertile valleys of the island, where produce can be easily raised for their subsistence, and where they are glad to vegetate in a state of ignorance and comparative wretchedness, while their children are becoming worse as citizens of the community, and are persons from whom no resources hereafter can be expected. The natural consequence of the abandonment of estates—and I am afraid that most of the estates in the island will be abandoned—is that you will thereby drive the better part of the free population into the class which I have just described, and that you will not only destroy the prosperity of the country, but the happiness and perhaps the future welfare of its inhabitants. It is to remedy evils of this description that I think the Government of a great country is called upon to act. I think that no Government can satisfy its own conscience, which can permit these colonies to become monuments of desolation and broken faith; and which will present them to the world as an example that free labour cannot be introduced into sugar-growing colonies without the destruction of the whole of the property under cultivation. I, with others, have endeavoured to promote the cultivation of sugar estates in Jamaica; but it is now a source of deep regret to us that we did not at once abandon them when the Act of 1846 was passed. We laboured for years in the expectation that the improvement of the persons employed in cultivating these estates would be progressive; and if I feel deeply—as I do feel deeply—upon this question, it is not on account of the loss which we sustain only, but on account of the loss which these individuals will suffer when the whole of the land shall be entirely thrown out of cultivation.

Sir E. BUXTON believed that the Act of Emancipation had in many respects answered the expectations of its promoters; and he felt persuaded that if it had not been for the fatal measure of 1846, that Act might have afforded a triumphant example of wise benevolence to all the nations of the earth. He confessed he feared there was very little chance that our West Indian colonies could successfully compete with the slave-grown produce of Cuba and Brazil. The produce of these latter countries was constantly increasing, while there was but too much reason for believing that the produce of our own colonies was decreasing. With respect to the proposed boon for encouraging the immigration of labourers, it would be disgraceful in him to forget that the greatest effort ever made for the abolition of slavery was made by this country; and he was sure that the people of England would not allow immigration to be anything else than an immigration which was really free. He certainly regretted to find that this country should now be consuming a greater quantity of slave-grown sugar, and should be affording a greater encouragement to slavery, than it did before the labours of Wilberforce had begun. He could not allow that debate to close without entering his protest against the measure for the admission of slave-grown sugar into this country.

Lord G. BENTINCK said, in reply, that the President of the Board of Trade expressed his expectation that he (Lord G. Bentinck) would have drawn attention to the case of the Worthy Park estate; but he thought the answer of the hon. Member

for Huntingdon (Mr. Thomas Baring) would have set it at rest for ever. It was perfectly true that "Friend Sturge," with "his respectful compliments," had sent him a note containing the evidence given in 1845 by Mr. Pryce, a gentleman who, unfortunately for the estates of which he was a trustee, was a political economist; the author of *Capital versus Emigration*. The right hon. Gentleman had now, in 1848, occupied the time of the House with reciting the evidence given by Mr. Pryce in 1845; but it would have been more to the purpose if that right hon. Gentleman had first taken the trouble to inquire if the prophecies of Mr. Pryce had been fulfilled; but he (Lord G. Bentinck) was enabled to state, on the authority of his unfortunate co-trustee, the real state of the case. Mr. Pryce stated that in 1845 30,000*l.* was offered for half of this estate, with all the charges upon it amounting to 26,000*l.* The fact was, however, that this estate, so flourishing in 1845, had now become 27,000*l.* in debt, and had paid neither rent nor interest on charges for years past; in fact, not since 1842–43, when Mr. Price undertook its management.

The Chancellor of the Exchequer had denied that the planters had been robbed of any advantage when two years of the apprenticeship were taken from them; whereas the contrary was clearly proved by the fact, that although during those two years the prices of sugar were much higher than they had been for many preceding years, yet such was the reduced production of sugar that the value in sterling money of sugar exported from the British tropical colonies which in 1833, the year previous to emancipation,* had been 4,014,334*l.*, actually rose to an average of 4,978,390*l.*, in the five years of apprenticeship; but in the five years of perfect freedom, viz., from 1839 to 1843 inclusive, the value of sugar produced fell to an average of 3,694,725*l.*; the aggregate produce of the five years of apprenticeship being 24,891,960*l.*; that of the first five years of entire freedom only 18,473,644*l.*

His right hon. Friend last night greatly vaunted himself on the superior accuracy of his own predictions as compared with his, in 1846, of the produce of sugar to be expected from the British West Indies, which he would have the House believe he had unconditionally estimated at 100,000 tons. He made no such unconditional prophecy, and he would convict his right hon. Friend out of his own mouth. On a reference to *Hansard*, these observations would be found ascribed to his right hon. Friend on the 27th of July, 1846:—

"But for the comfort of the West Indians and others concerned in the growth of sugar, there was a qualification in the noble Lord's (Lord G. Bentinck's) statement which entirely destroyed the whole anticipation, because he said that the possibility of the importation he spoke of from the East Indies would entirely depend on its being sold here at a high price." *

And his right hon. Friend's observations were quite correct; for, on the same authority, he found it stated that he said—

"He had it on the authority of Messrs. Allen and Neville, the great sugar-brokers of Calcutta, that whenever sugar in the East Indies fell to the price of 8 rupees, then the natives consumed a large quantity; but whenever the price rose to 11 rupees, or 11½ rupees (that is 23*s.*) then they were always ready to go without it."

Again, he was reported to have said on that occasion—

"His noble Friend (Lord John Russell) had calculated in his estimate, that the effect of the free import of Brazil and Cuba sugar would be to lower the price 6*s.* per cwt. If that should be the case, it would be no longer possible for the East Indies to export. He was informed that the price was something like 23*s.*, at which the native merchant could afford to sell his produce; but if they reduced that price, the native merchant would no longer bring his produce to market."

The price, however, was not 6*s.* but 12*s.* per cwt. lower than it was in 1846; and East India sugar was actually selling that day in London below that which he said in 1846 was the lowest price at which the natives of India would bring it for export to the Calcutta market.

The hon. Member for Montrose (Mr. Hume), and the right hon. Member for Coventry (Mr. Ellice), had recommended him not to press this Committee; had they

* "Value of Sugar exported from the British tropical colonies the year previous to emancipation, five years of apprenticeship, and first five years of freedom:—

1833		£4,014,334
1834	}	
1835		
1836		£24,891,960
1837		
1838	}	
Average		£4,978,390
1839	}	
1840		
1841		£18,473,644
1842		
1843	}	
Average		£3,694,725"

* Hansard (Third Series), Vol. lxxxviii. p. 58.

expressed their readiness to support him or any other Member who might bring forward a substantial and immediate measure of relief, he might have yielded to their recommendations; but when all that he heard from them in the shape of reason was, that the appointment of the Committee would excite anticipations in the West India planters which could not be realised, he was not prepared to accede to their wishes. These hon. Gentlemen spoke as if it were impossible anything could be done for the West India colonist: "it is all over with him, he is past cure,"

> "His glass is run, his hour is come;
> No doctor can relieve him;"

Nothing remains for him but to say his prayers, receive extreme unction, and expire! He thought, however, that if there was the slightest hope of the House of Commons not being altogether dead to conviction, he could still in this Committee bring forward such evidence as might perhaps convince them that some remedy must be afforded.

The 1,000,000*l.* a year spent on the west coast of Africa in vainly attempting to suppress the slave trade, might be retrenched, and the duty on sugar reduced 4*s.* per cwt., which on 260,000 tons would amount to 1,040,000*l.* Had those who deprecated the useless delay of a Committee announced their intention to make such a proposition as this, he might have gone along with them. Not a word, however, has been said of substantial relief, either by any fiscal measure, or by advances upon loan.

The inquiries of such a Committee as he proposed would show whether in August, 1846, Earl Grey was right in thinking that free labour could compete with slave labour. On the 10th of August, 1846, Earl Grey said—

> "Sir Fowell Buxton, Mr. Wilberforce, and the writers in the *Anti-slavery Reporter*—they one and all contended that not only was the produce of free labour most consistent with justice and religion, but it was also the cheapest and most beneficial for the consumer. In this proposition he (Earl Grey) most unreservedly concurred."

His Lordship next tells us that the services of the Kroomen could be easily rendered available. Lord Grey in the same debate says—

> "If it could be accomplished he would like to see an increased intercourse between Africa and our own colonies; and if means could be pointed out which would be free from abuse, the Kroomen might go to our colonies during the cane harvests, as the Irish labourers come to this country for the corn harvests, with great advantage to the prosperity of our colonies, and to the civilisation of Africa."

And that the measures thus taken would lead to the extinction of slavery. Lord Grey, on this same celebrated occasion, thus concluded his oration:—

> "He himself utterly abhorred the slave trade, and he would not adopt any course that would tend to increase it; but he was bound to say he believed that, in passing this measure, so far from increasing the slave trade, it would be the most likely means of putting an end to it.
>
> "He could not sit down without repudiating the idea that he should ever have been induced to recommend such a measure as the present, if he thought that the effect of it would be to increase the evils of slavery. On the contrary, his settled opinion was that it would lead to the extinction of slavery in no very great number of years."

It had been found that free labour could not compete with slave labour; and the noble Earl had spoken of the Kroomen visiting the West Indies during the cane harvest, as the Irish reapers visited England during the grain harvest, apparently imagining the Atlantic to be no wider than the Irish Channel, though, had he examined any geographical map, he would have found that the Kroo coast was separated by 4,200 miles from Jamaica. The noble Earl's prediction, that the measures of Government would lead to the extinction of slavery, had been too cruelly falsified by events. But it might also be a subject of inquiry in this Committee whether, considering the reduced fortunes of those who held property in the colonies, means should not be taken to diminish the public charges to which they were subjected. At this hour of the night he would not go at length into the detail of this part of the subject. He had trusted to the hon. Member for Montrose to take up the economical branch of the question. He would only quote as a fair sample of the whole the case of Demerara, a Crown colony, the expenses of which having been only 25,000*l.* a year in 1825, had mounted up to the scandalous sum of 225,000 in 1847.

One word on Earl Grey's instructions in regard to the Coolies, and his letter to Sir Charles Grey. Writing to Sir Charles Grey, Lord Grey says—

> "For the early, though not, certainly the immediate mitigation of this evil, I looked to the education and industrial training of the negroes."

Now let us look at these instructions—The first was, that they should not on the voyage be set to do any work at all; but they were to be provided with "air,

exercise, and protection"—the only instance, he believed, of Earl Grey being a "Protectionist." And the surgeon-superintendent is to promote singing and dancing:—

"The people should have every encouragement to take the air on deck, especially while their berths are being cleansed and ventilated, and the surgeon will be careful to promote dancing and singing. They are on no account to be called on to do any work on board, except cleaning their own deck and sleeping places, or receiving at the hatchways fuel, provisions, and water; and he will be particularly careful that they be not placed to draw water from the sea, or otherwise employed in any situation in such a manner as to endanger personal safety.

"He will use every exertion to promote cleanliness among the people. In suitable weather, bathing may be enjoined on the emigrants."

How inconsistent this with the protection-from-falling-overboard clause! What would the hon. Member for Finsbury, the Coroner for Middlesex, think of this new requirement? for not only must he be able "to medicine to sweet sleep," but he must be skilled

—"to teach Lavolta's high and swift couvantos."

This instruction was founded upon the principle, he presumed, that—

"The man that hath not music in himself,
Nor is not moved with concord of sweet sounds,
Is fit for treason;"

and, by teaching the immigrants singing and dancing, his noble Friend at the head of the Colonial Department imagined, it might be presumed, that he would ensure their loyalty when these Coolie immigrants arrived in the West Indies. He would like to know from his right hon. Friend the Chancellor of the Exchequer, unless it were a breach of the Privy Council oath, to divulge whether Her Majesty, when in a fit of playful malice, knowing that the noble Secretary of the Colonies was not what is commonly called "a good sailor," took him with her on her late trip to Scotland, insisted upon his performing during his qualms of sea-sick agony the part of "the Swedish Nightingale;" or before he had got what seamen called "his sea legs," commanded him to perform a pirouette—the polka, or more probably a reel?

The next was not so comical a regulation, but it was more expensive to the unfortunate planter. When the Coolies did get to the West Indies, it was one of the ordinances in the persecuted Crown colonies, that a medical officer was to visit all the immigrants, whether they wanted him or not—whether they were sick or sound — every forty-eight hours or oftener; and this was to be done at the expense of the planters! Just imagine such a regulation applied to agricultural labourers in this country? What farm could be carried on? Was that the way they were to encourage competition of free against slave labour?

The right hon. Gentleman the President of the Board of Trade had doubted whether "he were serious in proposing to distrain Cuba for the debt due to British subjects." The right hon. Gentleman must have been living in Ireland—where it is reckoned quite unreasonable to think of asking any man to pay his just debts—and must have got his mind imbued with lessons learned in Tipperary. For his own part, he did not see the injustice of the mortgagees, who for nearly twenty years had asked in vain for the payment, either of capital or interest of their debt, of forty-five millions sterling, calling upon Spain to cede the land of Cuba which had been mortgaged for that debt. The right hon. Gentleman should consult his noble Friend the Secretary for Foreign Affairs, whose speech at the end of last Session he must have overlooked. To show what was thought in America of the justice of our claim, the noble Lord read an extract from the *Boston Atlas*:—

"The fact cannot be disguised, that there is a party in the United States which looks to the annexation of the island of Cuba to this country as a thing highly desirable. The question has yet only been broached publicly by a few presses, but those presses are known to represent the views of a large and influential class of citizens. That the scheme meets with favour in certain quarters cannot be doubted. Indeed, whatever scheme may be proposed, however absurd and unconstitutional it may be, if it be a scheme by which the slave power of the country can be strengthened, it is sure to find favour and friends. We therefore consider the matter as settled, that one of the issues likely to be presented to the people, within a few years, will be the annexation of Cuba to the United States. And if we are not greatly in error, there are causes at work in Europe which will precipitate the decision of the question.

"The conclusion to which we have come is, that there is a determination on the part of Great Britain to get Spain to cede to her the island of Cuba, in payment of the seventy millions of pounds which she owes to British subjects. If Spain refuses to make the cession, then to seize the island by force and hold possescion. This could easily be done by England, with her immense army and navy, and boundless wealth.

"This, we know, is but supposition on our part, but we think it is plausible. It also explains the attack which Lord Palmerston made upon 'the States of North America,' and the studied si-

lence with which the British Government has beheld our conquests in California, and of the Mexican States in the valley of the Rio Grande. Remember, also, that Mr. Polk, in his message, last December, argued at much length, that the United States would have been justified in taking forcible possession of Mexican territory, or, in declaring war against that nation, because of their neglect to pay one of the instalments of the money due to this Government. The British Government can use the same argument in justification of the seizure of Cuba, whenever they decide upon doing it, and upon far more solid grounds; their claims are larger an hundred-fold against Spain than ours ever were against Mexico, and they have long remained unpaid. Another and a more powerful reason which England could urge for taking such a step would be, emancipation. By abolishing slavery in Cuba, you at once strike a death-blow at the African slave trade. Close the port of Havannah to the slaver, and Brazil alone remains to him as a market for his cargo.

"England has never acknowledged herself a convert to the 'continental policy' of Mr. Polk, any more than she did to the 'continental policy' of Napoleon Bonaparte. Every one can imagine the excitement which a step like the seizure or purchase of Cuba by Great Britain would create in our own country. We are naturally jealous of the encroachments of that Power; and Cuba is the key to the Gulf of Mexico, and is larger and of more value than all the other West India islands combined. We should be restless, for we would ill brook this nigh approach of John Bull upon our southern border, with the key of the Gulf in his pocket. The southern States would cry aloud against it, because of the near neighbourhood of a colony of liberated slaves, a thing for which they have a lively dread."

The *Times* newspaper contained a few days ago an account of the capture of a bran new Portuguese brig by one of our cruisers. This brig had made four trips; in the first it had carried 500 slaves, in the second 1,000, and in the third 500 slaves. The fourth voyage, the captain said, would have been his last if he had not been taken. He had made twenty-five trips altogether during eighteen years, and had only been taken three times. The House might judge how far our blockading squadron answered its purposes when, out of twenty-five voyages, this slave captain had been captured only three times. His share of the spoil—though he had none in the captured cargo—had he taken his brig to Brazil, would have been 6,000 dollars. He repeated the advice he gave to the Government last night, to put an end to the slave trade by seizing Cuba, in repayment of the 45,000,000*l.* sterling due to British subjects by the Spanish Government. If they did this, then by an easy blockade of the coast of Brazil, they would effectually abolish the hideous traffic now carried on in human beings on the African coast, and having once accomplished this, they would leave Africa clear and free, unpolluted by slavedealing and slavetrading, to the enterprise of British merchants and British West India planters honestly seeking by the inducements of good wages and bettered fortune to entice the sons of Africa to cross the Atlantic, and as freemen and free labourers create wealth for themselves, at the same time that they would be saving at least, if not adding wealth to, the British sugar planting colonies in the West Indies. In conclusion, he would truly say, no man felt more strongly than he did the necessity for immediate relief to the British colonies. Those colonies might well exclaim in the language of the heroine of Sheridan Knowles' play—

"Beware how you abandon me to myself.
Thou canst save me,
Thou ought'st, thou must.
So choose betwixt my rescue and my grave,
And quickly, too,
The hour of sacrifice is near."

Motion agreed to.

DISTILLING FROM MOLASSES.

The House went into Committe.

The CHANCELLOR OF THE EXCHEQUER moved a Resolution permitting the use of Sugar and Molasses in Distilleries.

Resolution agreed to.

House resumed. Report to be received.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Monday, February 7, 1848.

MINUTES.] *Took the Oaths.*—Several Lords.
Sat first.—The Bishop of Manchester.

PUBLIC BILLS.—1ª Clergy Offences; Diplomatic Relations with the Court of Rome; Audit of Railway Accounts.

PETITIONS PRESENTED. From Grand Protestant Associations of Loyal Orangemen, of several places, against the Admission of Jews into Parliament.—By Lord Campbell, from Independent Order of Odd Fellows, of various places, that the Provisions of the Benefit Societies Act may be extended to them in common with other Benefit Societies.—From Justices of the Peace, and others, of Forfar, for the Repeal of the Bank Charter Act, and Scottish Currency Act.—By the Earl of Eglintoun, from Provost and Town Council of Glasgow, against Alteration of the Navigation Laws.—By Earl Fitzwilliam, from English Presbyterians of Dukenfield (Cheshire), for the Removal of Jewish Disabilities.—From Northampton, for Alteration of the Municipal Corporations Acts.—From Clerks, Masters, and Matrons of Workhouss, and others connected with the Administration of the Laws relating to the Relief of the Poor in England and Wales, for a Superannuation Fund for Poor Law Officers.—From the Borough of Northampton, that the Privilege from Arrest now possessed by Members of Parliament may be abrogated.—By Lord Canning, from Committee of West India Planters and Merchants, and others (several petitions), for Consideration of the West India Colonies.

DIPLOMATIC RELATIONS WITH THE COURT OF ROME BILL.

The MARQUESS of LANSDOWNE said, that in the exercise of the privilege which had always belonged to Members of that House, he proposed that evening to lay upon the table a Bill, and to move that it be read a first time. He hoped that they would permit him to dispense with any notice on the subject, and not require him on that occasion to enter into any lengthened statement. The object of the Bill which he intended to bring in was to enable Her Majesty's Government to open and carry on Diplomatic Relations with the Court of Rome. The Bill, which was very short, would be printed, and in the hands of every noble Lord to-morrow, and he hoped their Lordships would not object to give it a second reading on Friday. The noble Marquess concluded by presenting the Bill, and moving that it be read 1ª.

LORD STANLEY conceived that the measure proposed by the noble Marquess ought to contain such guards and restrictions as would satisfy the reasonable scruples entertained by the great body of the people of this country: assuming the policy on which this Bill was founded to be in the highest degree expedient and desirable, he still should say that such a measure ought not to be allowed to proceed with precipitancy. It was directly contrary to what were understood to be established principles, that the Sovereign of a free Protestant country should hold any sort of intercourse with the temporal Head of the Church of Rome. The question was one of great difficulty, and one respecting which there was great danger of misrepresentation; and he confessed it appeared to him a very rapid course of proceeding that such a Bill, introduced on a Monday, should be read a second time on the following Friday. He wished to know whether there was any reason for this haste and precipitancy—any urgent necessity for such a departure from the ordinary course of proceeding? He trusted that the noble Marquess would reconsider his proposition, and permit the ordinary interval of a week to elapse between the one stage and the other of his intended measure.

The MARQUESS of LANSDOWNE replied, that he felt no desire for an undue precipitancy in such a case as the present; at the same time he should be permitted to observe, that the question did not come before the House as a perfect novelty; on the contrary, he and other Members of that House had gone into its discussion on several previous occasions, and had expressed decided opinions on the matter. He considered that fixing the second reading for Friday next was not demanding any very great facility; there were no great difficulties in legislating on the subject; the Bill was a very short Bill, and would not require any extraordinary time for its discussion. To-morrow, when the Bill came before them, they would be better able to judge how soon they ought to proceed to its discussion.

The DUKE of RICHMOND hoped Her Majesty's Ministers would not fix such an early day for the second reading. The question was one of immense importance, and the Bill ought, therefore, to be well considered. He believed that not any part of the people of Scotland were aware that it was the intention of Her Majesty's Government to bring in such a Bill. For himself he could say, until that moment he had no idea that it was the intention of Her Majesty's Ministers to bring in such a Bill. It was a Bill which the greater part of the people of England would think offered violation to their religious feelings.

EARL FITZWILLIAM did not think that the Bill could be characterised as offering any violation to the religious feelings of the people of England. If he understood his noble Friend's Motion correctly, it was to obtain leave to introduce a Bill for the purpose of allowing Her Majesty to establish a direct diplomatic correspondence with the Potentate who held sway over the Italian States. He could not think so ill of the mass of the people of England as a nation, notwithstanding what might be said to the contrary, to suppose that they would conceive their religious prejudices were interfered with in this matter. Every one who knew the state of Europe, and especially of Italy, at this time, was of opinion that it was desirable that diplomatic relations with one of the most important rulers of the Italian States should no longer be interrupted. He hoped, therefore, his noble Friend would fix an early period for the second reading of the Bill.

The EARL of EGLINTOUN said, nine-tenths of the people would be taken by surprise, as he had been, by this Bill. He must beg leave to say, as far as that part of the United Kingdom was concerned with which he was intimately connected, it was morally impossible that the people of Scotland could have time to look over the

Bill before the second reading had taken place. He trusted that Her Majesty's Ministers would pay some regard to the situation of that distant part of the United Kingdom, and consent to postpone the second reading to a later period.

The MARQUESS of LANSDOWNE would name as distant a day as possible. The Bill was to establish direct relations with the temporal Sovereign of the Court of Rome, the absence of which power had hitherto been felt to be a great inconvenience.

Bill read 1ª.

THE WEST INDIES.

LORD STANLEY said: My Lords, four petitions have been placed in my hands; and I think it will be the course most convenient to the House that I should, in presenting those petitions, not only lay before your Lordships the statements which they contain, but endeavour, at the same time, to bring some other circumstances connected with the subject under your notice. I am desirous of stating as fully as I can the state of the West Indies, and the condition of the sugar trade — the alarming condition of both—and the remedies which the parties interested suggest for the relief of the evils under which they suffer. I will state those remedies; and I think it further my duty to state the extent to which I concur with the petitioners, so far, at least, as I have been able to form any opinion. The first of these petitions is from the members of the West India Association at Liverpool; and that petition does, to a certain extent, exhibit the reasonings and the statements contained in the other petitions. All the petitioners concur in representing the state of the sugar trade as most depressed and alarming; and they all concur in representing this state of things as induced by the acts and policy of the British Government, more especially by the operation of the Bill of 1846, admitting the importation of foreign slave-grown sugar into this country in competition with the free-labour sugar of our colonies. The Liverpool Association conclude by a statement that the ruin of which the petitioners complain, is now in active progress; and, unless relief be speedily afforded, there is every reason to apprehend that that ruin will soon be finally consumated. The petitioners impute much of the sufferings and difficulties under which the colonies now labour, to the inconsistent course of legislation by Parliament; and that, in consequence, the petitioners were utterly at a loss to know what course to pursue. They threw themselves on the consideration of Parliament, and implored their Lordships at the earliest period to let them know what measures were in contemplation with reference to the colonial possessions in the West Indies. They said, if it was determined to persevere in the course Government had been advised to adopt, that they hoped, in mercy to them, Government would let them know their fate at once, and say whether it was their determination to pass an irrevocable sentence by which the British colonies were to cease to produce free-labour sugar; and that henceforward this great necessary of life was to be obtained from the produce of slave labour. Such a course would, in their opinion, inflict a less severe blow on their interests than the protracted agony of inconsistent legislation. I concur for the most part in the allegations of the petitioners; I doubt not that most men would do so who looked into the details and documents with which I have been furnished; and it is my settled conviction that any man who looks into the subject will agree with me that the state of the West India colonies is most embarrassing and alarming. I concur with the petitioners in the belief that the unfortunate state of these colonies has been brought on by the legislation of Parliament; and I concur with the petitioners when they say, that, having surmounted a great difficulty, cast on them by the Legislature—of which difficulty I should be the last to complain—but after they had overcome this difficulty, and had the greatest reason to rely on the continuance of protection from the British Legislature—at that moment, when they believed the extent of their trials was known, and the extent of their difficulties ascertained—at that moment, when they received the greatest amount of encouragement, when they had been induced to embark yet larger amounts of capital upon the good faith of British legislation, there came a sudden change in the course of that legislation, which in the highest degree aggravated the evils by which they were surrounded. That is a case which the West Indian interest can substantiate—of that they demand remedy and redress. I propose to state their case, and to substantiate it. On such a question I hope to be permitted to enter a little more at length into the evidence, for I feel that this is a question

of vital importance. With regard to the allegations of the petitioners as to the present state of the West Indian colonies, I feel it is hardly necessary to trouble your Lordships with any statements in proof of their accuracy. The West Indian Committee have sufficiently proved that the condition of the colonies is the effect of past legislation. All classes are embarrassed—the merchant and planter find themselves in similar difficulties. Each feels reluctant to abandon his property, and yet all feel, under the present wasting conflict, unless some remedies are proposed, that ruin would be the result. That, my Lords, is a general statement made by persons perfectly competent to give it on this subject. But, my Lords, it may be possible that individual cases may have more weight with your Lordships, and give you a better idea of the distress that exists at this moment in the West Indies, than any form of general allegation which I could adduce. And, my Lords, I hope I may be permitted on the present occasion to read a statement which I hold in my hand to your Lordships, in reference to an individual case of this description. It is made by a gentleman of the highest respectability, now resident in this country, and ready to substantiate it, if necessary. The noble Lord then proceeded to read the statement in question, which was to this effect:—

"My estates descended to me from my father, and have been in our possession upwards of seventy years: thirty-two of these years they have belonged to me, and I have great experience of their capabilities. My nephew, the eldest son of the family, has for many years resided on the properties, with his wife, and manages them most ably. The estates are situated in the most fertile part of the east coast of Demerara, and the land yields more than 1½hhd. of sugar per acre. They are free from mortgage. They have the finest machinery both for the drainage of the lands and for manufacture of sugar, and have three steam-engines at work upon them. They have a fine people residing upon them, who, from being partners in the profits of the estates, and from long attachment to the family, work willingly and steadily. The weather this last year has been most propitious to the cultivation, and the land has yielded well. The one estate has produced 500 hogsheads of sugar, and 250 puncheons of rum. The other estate 400 hogsheads of sugar, and 200 puncheons of rum. The hogsheads on both estates are what are called heavy hogsheads, averaging a ton weight gross, or 1,600 cwt. net. From the 1st January to the 1st July, 1847, the prices of sugar ranged from 21*l.* to 18*l.* per hogshead; from 1st July, 1847, to 1st January, 1848, they ranged from 13*l.* to 11*l.* per hogshead, the last price I received being 11*l.* 14*s.* per hogshead. By the periods named you will perceive that the great drop in the price of sugar took place simultaneously with the admission of slave-grown sugar, and previous to the monetary crisis. In the extract I send you from my account book, I give you the current expenses alone, and omit all casualties, although they ought to be considered, as each year there are some:—

Plantation, No. 1.			
500 hhds. sugar	£6272	9	11
250 puns. rum	3250	0	0
	£9522	9	11
Disbursements of estate in labour, stores, and colonial expenses	£11,000	0	0
Showing a loss to the estate of	£1478	0	0
Plantation, No. 2.			
400 hhds. sugar	£5550	7	5
200 puns. rum	2600	0	0
	£8150	7	5
Disbursements of estate for stores, labour, and colonial expenses	£8407	0	0
Showing a loss to the estate of	£256	12	7"

The difference (proceeded the noble Lord) he accounts for, by stating that the sugar raised upon the one was sold by previous engagement, made before the period at which the Legislature had lowered the duty, and along with it the price of sugar in this country: the other was sold at the current rates. My Lords, that is the statement of an individual case, and I have been assured this morning by a gentleman connected with the West Indies, that neither in Demerara, Jamaica, nor Trinidad, the great sugar-producing colonies, is it possible to raise 1,000*l.* on the security of any property situate there. That is the state in which the West Indian proprietors represent themselves as being placed; and this they attribute to your legislation. My Lords, I must, with your permission, to do justice to my case, go back to a period somewhat earlier than the present; and I hope I may be forgiven, if, with the recollection of the part I took in the settlement of the slavery question, I am anxious to place the state of the West Indies, before and subsequent to the Emancipation Act of 1833, before your Lordships on this occasion. The Act of 1833 declared the utter and entire abolition of slavery at the end of a certain period. That Act was accompanied, my Lords, by a grant, magnificent in amount, as far as the sacrifices made by this country were concerned — a grant which, inasmuch as it was entirely consistent with the claims of justice, policy,

and humanity, I shall never be ashamed of having submitted to Parliament; and I am proud that Parliament was induced to consent to it, since thereby that great act of humanity was not stained by a corresponding act of injustice. But, my Lords, great as the sum of 20,000,000*l.*, the amount of that grant, was—great and unanimous as was the sacrifice made by this nation to justice, to policy, and to humanity, on that occasion—and I look upon it as the greatest pecuniary sacrifice ever made by any commercial nation to humanity and justice—formed, after all, but an inadequate compensation for the vast amount of injury inflicted by its operation upon the West Indian planters. And, my Lords, nothing can be more unjust and unfounded than the allegations which have been made by certain parties not conversant with the circumstances of the case, that by this grant of 20,000,000*l.* the claims of the West Indian proprietors upon this country were totally extinguished, and their case, as regards all further consideration, closed. Let me remind you that when that Bill was first introduced to Parliament, it was the intention of His Majesty's Government on the occasion to give 15,000,000*l.*, which was subsequently increased to 20,000,000*l.*, for the purpose of pecuniary compensation to the planters, together with a period termed apprenticeship, but in reality modified slavery, for twelve years—I may speak of apprenticeship now in these terms, because the prejudice that then existed exists no longer; and I may describe it as what it actually was—modified slavery—I mean so far modified slavery as this, that a portion of compulsory labour was given to the masters during that period, and that they had a right to a certain amount of the services of the negro. It had been intended to accompany the grant, as I have stated, with a premium of twelve years' modified slavery; and this was the modification proposed. It was proposed that the negro should work three-fourths of the day, or seven hours, for his master; the other fourth being reserved for himself, in which to earn, by his independent labour, the means of purchasing at an earlier period his own manumission, if he chose to effect it. And, my Lords, I believe it would have been to the advantage of the negro himself, as well as to that of the West Indies, if that proposition had been adopted; because while it would have lessened the loss to the planter, by its gradual character, it would have promoted in the negro those habits of industry and self-reliance, without which no population is important to a country. But a different conclusion was come to by the House of Commons on the subject. The House of Commons determined that the negro should contribute nothing towards his own liberation; and it then proceeded to reduce the twelve years of apprenticeship to seven years' duration. It has been said that the 20,000,000*l.* given on that occasion were as a compensation for that period of time, as well as for the redemption of slavery; but those who remember the debates will remember that the apprenticeship period was held to be practically as much a portion of compensation as the sum in question. In that form the Act was passed. Subsequently, however, it was determined by Parliament that even the limited period of apprenticeship, fixed under its provisions, should not be permitted to expire naturally; and by a certain degree of compulsion on the West Indian proprietors, it was put an end to in August, 1838, though it should have continued in the ordinary course of things until August, 1840. During this period of anxious discussion on the subject, if there was one point more clearly laid down and assented to than another, it was this—that one great object of the abolition of slavery would be frustrated if there should be a cessation of the manufacture of sugar in the British West India colonies. It was never conceived possible by the West Indian interest, that after taking away from the proprietors of the West Indies the benefit and advantages of slave labour, you would now proceed to place them on the same footing, as free-labour colonies, with colonies where slave labour is permitted, and then say that they have had compensation. Nay, more, it was over and over again urged in the course of these discussions, that though the production of sugar under the free-labour system might be comparatively limited, still that the monopoly of the English market, which the proprietors of West India estates would have, would make good that deficiency to them by the increased price of the production in the market. I do not wish to trouble the House with many figures, but I shall now, with the permission of your Lordships, read from a statement which I hold in my hand—a statement of the production of the West Indies previous to emancipation; also during the period of ap-

prenticeship; and, finally, since the establishment of the system of free labour in those colonies. My noble Friend on the other side of the House, in reference to these facts, is stated to have said that the worst result of the present condition of things in the West Indies would be, that they might cease to be sugar-producing colonies. I cannot, however, I confess, look upon the possibility of such a contingency as that occurrence contemplates with the same calm philosophy as my noble Friend. This, my Lords, is a statement of the amount of sugar produced in the West Indies antecedent to the Emancipation Act—that is to say, from 1815 to 1832 inclusive. And this is the point which I wish to impress upon your Lordships' minds in connexion with it—namely, that until the Emancipation Act passed, the West Indies produced a larger quantity of sugar than was consumed in this country; and that, therefore, there was no monopoly, because the surplus sold in the continental market regulated the price of the supply in this country. That which is true of the whole period in this return is true of each single year of that period; and, my Lords, there is no year of that period in which the production of the colonies did not exceed the entire amount of sugar consumed in this country. In these eighteen years 67,707,430 cwts. of sugar were produced in the West Indies, while the consumption amounted to 57,426,679 cwts. The yearly average produce 3,761,511 cwts.; the yearly average consumption 3,281,011 cwts. The highest produce in any year was 4,313,430 cwts.; the lowest was 3,435,061 cwts. The average, as I have already stated was 3,761,511 cwts. The highest consumption was 3,781,011 cwts.; the lowest was 1,726,896 cwts.; and the average was 3,212,593 cwts., showing a gross excess of 10,280,522 cwts.; and an average excess of 573,462 cwts. of supply over demand. From 1833 to 1838 was the period of apprenticeship, and in those years the produce and consumption bore the following relation :—

Gross produce	13,951,137	cwts.
Gross consumption	19,209,436	"
Average produce	5,487,784	"
Average consumption ...	3,802,709	"

Therefore, instead of a surplus of production over consumption, there was a gross deficiency of 1,258,298 cwts., and an average deficiency of 314,575 cwts. I shall now come to the operation of the free-labour system—that is to say, to the effect of the five years from 1839 to 1843 inclusive. In the first year the fall in the quantity of produce was from 3,521,434 cwts. to 2,823,931 cwts. In the next year it fell to 2,202,833 cwts.; and the year after it fell to 2,148,218 cwts. In the time of slavery, your Lordships will bear in mind that the average produce was 3,761,511 cwts., and in the period of apprenticeship 3,487,784; while in that of free-labour it was only 2,438,681 cwts. It did so happen that during the twelve years subsequent to emancipation in the West Indies, compared with the twelve years previous, there had been an increase in the price of sugar, which indemnified to some extent the West India planter for the reduction in the amount of produce. From 1823 to 1834 the average price was 29*s.* 5*d.* per cwt., while from 1835 to 1847 it was 38*s.* This difference made up in a great degree for the diminished production to the West Indies as a body, but not to the West India proprietor; for not only was the production of sugar on his estates diminished, but the price of labour to him has been extraordinarily increased. The difference went from the pockets of the planter to those of the labourer in this instance; and if there be a population on the face of the earth in a state of greater comfort than another, it is the negro peasantry of the West Indies—and I may say, in passing, that as far as moral conduct and good behaviour are concerned, none better deserve it. I saw a letter addressed to a noble Friend of mine, this day, stating the cost of production at different periods, from 1830 to 1846, inclusive, and it was as follows:—From 1830 to 1834, it was 4*s.* 5*d.* per cwt.; from 1834 to 1838, which was the period of apprenticeship, it was 6*s.* 7*d.*; from 1838 to 1842, it was 16*s.* 11*d.*; and from 1842 to 1846, it was 21*s.* 7*d.* The petition that I have presented to your Lordships, coupled with this information, leads me to conclude that from 20*s.* to 22*s.* per cwt. is not far from the average expense of the production of sugar in the West Indies at this moment. The petition from Trelawney states 20*s.*, exclusive of freight and other charges—of which 13*s.* 4*d.* go to the labourers, while the remainder, viz., 6*s.* 8*d.*, is all that is left to the planter to meet the disbursements of the estate. I have made these statements, my Lords, for the purpose of showing your Lordships that at a very early period of that legislation for these colonies—especially that period in which slavery was abolished, an act in

which I concur and rejoice—the Legislature of this country imposed grave practical difficulties and obstructions in the way of the sugar-planters of the West Indies; and I insist that for this reason they have now a distinct claim upon the consideration of Parliament. Notwithstanding, however, these difficulties—notwithstanding the increased expense of cultivation, the proprietors of estates in our West Indian colonies did not absolutely despair of receiving compensation for their outlay in consequence of free labour, because they relied upon the solemn assurance of the Parliament that protection should be afforded them. They had seen East Indian sugar introduced into this country on the same footing as the produce of the West Indies; they had also seen Mauritius sugar brought in on the same footing; but still they only desired that you, having crippled their right hand, as it were, by taking away from them the benefits of slave labour, should give them that amount of protection which was necessary to secure them against the competition of slave-grown sugar. They had no reason to believe that Parliament did not intend to afford them protection against all competition up to 1840, although in that year the highest price that had been obtained for sugar—viz., 48*s.* 2*d.*, became the subject of discussion. On that occasion the Parliament, acting under the instigation of the then Prime Minister of the Crown, refused to entertain a Motion made by one of the ordinary supporters of the Government, and declared that, in honour and justice, it was bound to maintain the existing protection to the West Indies. Even at that time the noble Lord at the head of the Colonies decided to continue that protection. The House of Commons, however, declared that they would not admit slave-grown sugar for home consumption, in competition with the produce of free labour in own colonies; and a general election was the consequence, in which that declaration was sanctioned by the vote of a large majority of the people of this country. I ask whether, under these circumstances, the West Indian proprietors were not bound to have confidence, and consider themselves safe in extending their operations—to have reliance on the good faith of Parliament to protect them from foreign competition? Under such circumstances has not the British merchant a right to rely that he might safely invest capital upon consignments of the produce of that soil to which procection had been thus solemnly guaranteed? Therefore, my Lords in the year 1845, it was thought expedient—and I concurred in the vote—at once to reduce the amount of duty chargeable upon the produce of our own colonies, thereby to stimulate the consumption of it; and it was also deemed advisable to permit competition with those countries against which it could not be alleged that they had the advantage of possessing slave labour. There was some modification of the Bill of 1844 introduced in 1845, and that strengthens my case; because, as in 1844, so in 1845, when the measure was brought under the deliberation of Parliament, with a view to an alteration of the law, the principle was laid down that slave-grown sugar should be prohibited from being introduced into this country; or, at least, put upon such a footing with regard to duties as to operate in effect as a prohibition. My Lords, these were the circumstances under which your planters were encouraged to increase their operations, the colonies to incur enormous expenses with a view to the immigration of free labour, and the inexhaustible resources of the East Indies thrown open—all with the same object alike—viz., to contribute the increased quantity which was necessary to meet the consumption of this country. Thus it was that the merchant thought he might place reliance on the faith of Parliament for the security of his advances, without which the cultivation of sugar could not be carried on; and it was under these circumstances that by the sudden and rapid change of policy in 1846, not only was slave-labour sugar introduced into competition with British free-labour sugar, but also released from that discriminating differential duty which in 1840 the same Minister had deemed to be expedient and indispensable for the protection of the colonies. Instead of the discriminating duty of 12*s.*, there was imposed one only of 7*s.*, which was to be diminished year by year, until after the lapse of six years, when it placed the slaveholding countries of Cuba and Brazil upon precisely the same footing as our own colonies, with this exception, that Cuba and Brazil have an unlimited supply of that efficient labour which you say your own colonies shall not have. The Act of 1846, then, is in effect a bounty given to slavery; and at the same time that you thus hold out an invitation and encouragement to slavery, you squander the lives and waste the energies of your seamen upon the pestilential coast of Africa,

in vain attempts to suppress the slave trade—attempts which you yourselves admit to be most unsuccessful—nay, so utterly and hopelessly unsuccessful, that the evil intended to be put down, has, through them, become every day more and more aggravated. You go to all this expense—this outlay of life and money—for the purpose of putting down the African coast slave trade, while at the same time you are, by your unwise legislation, putting millions into the pockets of the slaveowners of Cuba and Brazil wherewith to foster that same trade. Now, mark what has been the consequence:—In 1835, you introduced a supply from the East Indies and the Mauritius, which in the case of the latter has, under your encouragement, increased its production to an amount, last year, exceeding by 60,000 tons the produce of the former period. But, in the case of India, the increase is still more remarkable, and these are pretty nearly the results. The total exports from India in the year 1834-5 were of the value of 1,526,475*l.*, while in 1846-7 they were 4,459,422*l.*; showing an increase of 2,932,947*l.* Of these the exports in 1834-5, of sugar, were of the value of 134,226*l.*, while in 1846-7 they amounted to 1,690,032*l.*; thus showing that under your system of encouragement the increase of export in that single article of sugar amounted to 1,555,805*l.*—an amount exceeding the total exports of all descriptions from India in 1834-5. That was the progress which had been made in the cultivation of sugar in India at the period of your last change; and at present sugar is almost the only article of great produce in India which is made by ryots themselves, and upon their own grounds. It is a produce capable of indefinite extension, provided there be a certain price for it in the British market. But the moment that price falls below that certain amount, immediately the supply from India was cut off, for the simple reason, that unless the price in England exceeded, in a certain ratio, the price offered in the markets of India, the population there retained and consumed all the sugar themselves. Thus, for instance, if in Calcutta the price was 22*s.* the sugar would come to this country; but if in this country the price fell below that, and only 20*s.* could be obtained in the Calcutta market, the export would cease, and then not only was there the loss of these large remittances from India, but there was a loss of freight to the mercantile navy usually engaged in the trade, and, in addition, a great market was utterly closed to our manufacturers at home. This point is an important one. Now, let me call your Lordships' attention to this last point on which I have touched. I have stated the increase of sugar exports from India to this country. Is it unaccompanied by corresponding benefits to the British manufacturer? The total exports to India in the year 1834-5 amounted to 1,574,182*l.*; in 1846-7 they amounted to 4,241,072*l.*; increase 2,666,690*l.* And in what way was that increase brought about? The advocates of free trade were urging on your Lordships in the course of that policy, and your Lordships will now see the result. My Lords, of the 1,574,182*l.* imported into India in 1834-5, the value of the cotton manufactures was 735,687*l.*; while of the 4,241,072*l.* imported in 1846-7, the cotton manufactures amounted to 3,087,135*l.*; showing an increase in the import of British manufactures into India during those ten years of the value of 2,351,447*l.* Thus while the increase of the total imports into India in that period amounted to 2,666,690*l.*, the cotton manufactures alone amounted to 2,351,447*l.* I am, therefore, my Lords, justified in saying that the continuance of the supply of sugar from our East Indian possessions is an object of deep importance to the general interests of the country, and to the manufacturing, mercantile, and maritime interests of the empire. But while these results have been produced under your encouragement—and your own merchants and colonists, your fellow-countrymen, have exerted themselves to the utmost in applying their skill and capital to an amount beyond what was even prudent under the circumstances, in the hope that having secured the British market they would be enabled to supply an infinitely larger amount of sugar than before—what has been the consequence of your sudden change of policy, without any previous notice or indication of it? Why, the consequence has been that this large importation of sugar has only led, in their case, to ruinous losses on the part of both merchants and planters, and to the bankruptcy of your colonies; 500,000 cwts. of sugar were imported from the British colonies last year, and the price was generally 37*s.* This year the price has been as low as 21*s.*, and now it is 23*s.* This fall of price, I do not hesitate to say, is the direct result of your legislation of 1846. But although there has been a fall with us

of from 10*s.* to 12*s.* per cwt., in the market of Cuba, there has been no fall at all, but rather an actual rise in price. The price of sugar as between the Cuban and British West Indian proprietor has risen 35 per cent in favour of the former upon the cost of the article. There was a great deal said of the gain to the manufacturers by the large exports to Asia; and, according to their own theory, the result ought to have been the same to the Brazils and to Cuba. But no such thing has happened. Let the experience of the sixteen months previous to September, 1846, and of the sixteen months subsequent be tested, and how did the account stand? To Brazil, Cuba, and Porto Rico, in the first period, the exports had been 2,308,000*l.*, and in the second 2,477,000*l.*; thus, while they measured the exports to Asia by the million, the increase to the slave-labour countries amounted only to just 169,000*l.* upon the aggregate sum of 2,500,000*l.* In the meantime, what have been the exports to your own colonies during the same periods? I find in the first period of sixteen months, our exports to India, Mauritius, and the British West Indies, were of the value of 5,479,855*l.*; while in the second period they were 4,140,629*l.*, being a decrease of 1,339,224*l.* to set against the increase to Cuba, Porto Rico, and Brazil, of 168,082*l.*, which leaves an actual loss of trade on balance of 1,171,142*l.* I think, then, my Lords, I have established a case to show that our sugar-growing colonies have been and are still subjected to injurious legislation at our hands; but that the great and crying evil under which they have been labouring, and under which they must continue to labour, until they finally sink beneath it, is the flagrant injustice, by the Act of 1846, of the introduction of slave-grown sugar. The petitioners in their prayer request the mitigation of this evil; and although there is some difference in the nature of their demands, they all concur in requesting an abundant supply of free labour by immigration from Africa; the equalisation of the duties on rum and spirits; the admission of molasses into breweries and distilleries; and the remission of the duty at present existing upon British colonial sugar admitted into this country. The petitioners from Demerara also ask a loan for the purpose of thorough draining; and the petitioners from Jamaica demand the repeal of the navigation laws. I cannot see what advantage the people of Jamaica can derive from the repeal of those laws, while I perceive much injury to this country from the adoption of such a measure; and I cannot here but observe, if every important interest of the country is to succumb one after another—if the agricultural interest, the West Indian interest, and, lastly, the maritime interest of this country are all to be abandoned before the spirit of reckless innovation, I do not see where we shall stop, or what is to arrest us in the career of destruction. The West Indian colonist may say, "You place us on a level with the slaveholding countries, except in the restrictions upon slave-labour; remove this, and don't talk to us about your distilleries and breweries in England, and your seamen, your merchants and landed proprietors, your maritime and your agricultural interest; you have passed the Rubicon of free trade, and you must play the game out to the end; and we claim from you that there shall be no restriction whatever put upon us bringing our produce in the cheapest possible way to the dearest available market." The colonists may thus address you. But I, my Lords, do not abandon the ancient policy of this country, and I hope to see the Legislature again return to it. And with respect to the repeal of the navigation laws, I do not think the measure would benefit the West Indies. Admitting that the consequence of the repeal of those laws would be, to throw the carrying trade between the colonies and ourselves into the hands of the United States, which I believe would be the case, I do not see how the West Indies would be benefited by the transfer to the vessels of slaveholding countries of the conveyances of the produce of Cuba and Brazil, which is at present mainly carried, I believe, by British vessels. The abolition of the privilege of the carriage to this country of the produce of Cuba and Brazil, which the navigation laws now give to the ships of this country, could only lead to a monopoly of that carrying trade on the part of slaveholding countries; and this, I repeat, I cannot see would be of any advantage to the West Indies. I will not enter on the question of another demand that the petitioners make—namely, that their sugar and molasses should be introduced to the breweries and distilleries of this country, and that their rum should be introduced at an equal rate of duty with that which is imposed on British spirits. I will only say, with regard to this subject, that here is

another lamentable instance of the vacillation and uncertainty which paralyse all our mercantile and commercial enterprises, by the course which has been taken by the Government and Parliament of this country. I am told that the Government have intimated their readiness to consent to the introduction of molasses into distilleries, and to the equalisation of the duties upon colonial rum and British spirits. But, bear in mind, that these very questions were subjects of repeated and anxious investigation in the course of the last Session, and that the Chancellor of the Exchequer then stated that molasses could not by possibility be introduced into distilleries without absolute loss and ruin to the Excise, and that it would be impossible to provide for the difficulty. Again, with regard to rum and spirits; that was a question very keenly discussed with the Chancellor of the Exchequer, who contended that it was only fair that the British distiller should have a differential duty in his favour. My Lords, one other subject to which I shall advert, is that of immigration. The question of an unbounded supply of labour has had much stress laid upon it, and it is hardly necessary for me to say that a large supply of labour for any colony must have a material influence, by the reduction of wages, upon the prices of the articles produced in that colony. But, in the first place, I very much doubt whether it will be practicable for the West Indian colonists to procure such a supply of free labour from the coast of Africa as to produce any sensible effect on the wages of labour in the colony. I am most anxious to furnish the colonies with the necessary supply of labour, provided it can be furnished in such a manner as not to be inconsistent with higher and more important considerations. During the time that I had the honour to hold the seals of the Colonial Department, I endeavoured to meet the demand of the West Indian proprietors with regard to the introduction of labour; and I feel some satisfaction when I recollect that, in the latter end of the year 1841, we framed a measure for effecting a large importation of Coolie labourers into the Mauritius. As to Coolie immigration to the West Indies, I confess that I was never very sanguine in the hope that the introduction of Coolies there would be attended with much advantage. It is to Africa that the West Indian proprietors should look; but for the West Indian planters and merchants themselves to go to any portion of the coast of Africa, not subject to the control and authority of the British Government, and there to enlist emigrants from amongst the barbarous tribes on that coast, for the purpose of making them free labourers in the colonies —I will not say that this would be a revival of the slave trade—but it would afford to foreign countries a great and reasonable cause of jealousy if they are not prepared to draw the same fine distinctions that we do. Though I admit to the fullest extent the benefit of the freedom which the immigrants would enjoy on their arrival in the West Indies, yet I very much doubt whether it would be practicable to obtain the remedy upon which so much stress is laid, without practically reviving a slave trade, which, although not a slave trade for the purpose of making slaves, yet would be an encouragement to all those intestine wars in Africa, which have hitherto been the effect of the slave trade. The petition from British Guiana states, "that from circumstances arising out of the social condition of the Africans in their own country, it is impossible to procure them in sufficient numbers without negotiating with and conciliating their chiefs, in order to induce them to permit their vassals and dependents to emigrate to the British settlements." Well, my Lords, if, when out of the control and authority of the British Government, British merchants are to go to the African coast and there obtain free labourers, they will only obtain them, not by communicating with the parties themselves, but by "negotiating with and conciliating," that is, paying "their chiefs for permitting," that is, selling, "their vassals and dependants" to go out as free labourers. I ask for no differential duties as against the West Indian colonies on the part of this country—I do not ask for distillers here, or agriculturists here, that their fellow-countrymen in the colonies should be placed under disadvantages—I desire not to throw any impediment, on the contrary I wish to give every facility, to the increase of immigration of free labour to the West Indies. I do not object to the introduction of the produce of our colonies into the breweries and distilleries of this country; but I desire to ask the question, whether you intend also to introduce in like manner the produce of Cuba and Brazil? Upon the whole question my opinion is firm and decided, that —do what you will, apply what palliatives you please, it is impossible—the result of

the first year has shown it—that, in the present state of the West Indies and our other colonies in every part of the world, they can, upon equal terms, compete with the slave produce of Brazil and Cuba. You have now on hand a larger stock of sugar than was ever known. And the competition of slave-labour produce has supplanted and thrown out of the market, where there was a demand for it, the produce of your own colonies, to the extent of 36,000 tons. At the present moment the planters in the colonies, and merchants here, are almost afraid to speak of their losses. I may mention one case of a single house, whose transactions were of the most extensive character, and whose misfortunes are now publicly known — I allude to the house of Reid, Irving, and Co. They had consigned to them this year, if I am not greatly mistaken, no less than 10,000 tons of sugar, the produce of estates in the Mauritius, for the cultivation of which they had advanced the means, and are responsible; and the fall of prices imposed upon that house alone a permanent loss of at least 100,000*l.* a year, or, measured at the rate of 10 per cent interest, an aggregate loss of no less than 1,000,000*l.* sterling. Now their loss is the immediate result and consequence of your legislation. In 1840 you said the West Indian proprietors could not compete with foreign slave produce under a 12*s.* differential duty. And what is the differential duty now? Seven shillings! Within the last six months you have paid to Cuba, and to other foreign countries producing sugar by slave labour, 625,000*l.* for the produce of their slave labour, over and above what you have paid in any former year. You have raised the price of sugar in Brazil and Cuba by your legislation; but you have made it ruinously low in your own colonies. You boast of having lowered the price of sugar to the extent of 10*s.* the cwt.; but are you sure that your triumph will be durable? Are you sure that present prices will last? Are you sure that, when, by the encouragement you have given to Cuba, you shall have discouraged your merchants and disheartened the colonists, so that they will no longer continue planting —are you sure that succeeding years may not find you deprived of the sugar from your colonies, and yourselves at the mercy of the slave-producing countries?—that you, with your professions of humanity and justice, have transferred slavery from your own colonies to the possessions of other countries; and that then all your notions of humanity—all your notions of religion—and all your love of freedom—evaporate at once before the temptation of a penny a pound on sugar—that penny a pound being the result of your "penny wise and pound foolish" legislation—the result, moreover, of all your inconsistency, folly, and pride. Why, if you mean to encourage slave-grown sugar, in God's name withdraw your squadron on the coast of Africa, and put a stop to the continued waste of human life! But you will find in the end that you have not accomplished your object; that you have not secured even the miserable boon of cheap sugar to the people of this country; that you have not stopped but encouraged slavery and the slave trade, whilst you have effected the entire ruin of your own colonies. If you are determined not to change the course which you were induced to take in 1846, at all events let there be a postponement of the ruinous reductions which you further contemplate. But if no other remedy can be devised for the relief of the West Indies, then recur to the national principle of keeping out slave-grown sugar by the imposition of differential duties. I freely admit that the West Indian colonies stand in a different position from any other of our colonies, and that they have additional and strong claims to the imposition of differential duties. But I should be concealing my opinion if I did not also say that I have not altered my opinions, and have seen no reason to alter them, but quite the contrary, with regard to that general policy of free trade to which, one after the other, all the great interests of this country are to be sacrificed. Now I, for one, have not bowed down to this idol of noble Lords opposite; for I regard their idol as a very sorry idol, after all. It has a front of brass, but the remainder of the image is composed of even a baser and more brittle material. And I believe that Her Majesty's Government will at length find that they have been following a phantom to their own destruction, by bringing ruin upon themselves and upon the great colonial interests of the country. The noble Lord then presented the petitions.

Earl GREY said, that he was deeply impressed with the importance of the subject which had been introduced to their Lordships' notice by the noble Lord. He was bound to admit that distress did exist

in the West Indies—that it was most severe and most painful—and that he feared the accounts given of it by the noble Lord were in the main quite correct. In this he concurred with the noble Lord, and could assure the House that it was impossible for any one to regret more sincerely than he (Earl Grey) did that such distress existed. But the noble Lord had gone on to say that he agreed with the petitioners in opinion that this distress had been brought upon them by the legislation of the British Parliament. Upon this subject he entirely differed from the noble Lord, and he thought he could show good grounds for differing from him. In the first place, he must take leave to remark that while he admitted the existence of West Indian distress, he must also say that it was greatly aggravated by the peculiar circumstances of the present times. The West Indian interests were suffering in common with every other branch of trade and industry from the general state of affairs in this country. The noble Lord himself would agree in the truth of the observation, that the existing state of affairs and general causes had had much to do with the distress prevailing in the West Indies. The fall of price on many other articles—and these articles of a kind which made them a fair subject for comparison with sugar—had not been less serious than the fall in the price of sugar. For instance, there was the fall in the price of tea, sago, rice, and other articles. And when the noble Lord attributed the existing distress to the measure of 1846, let him (Earl Grey) remind the noble Lord that for several months after the enactment of that measure by which foreign sugar was admitted for consumption on more favourable terms, the sugar market was not in a worse state than before, but that, on the contrary, not a year ago, the price was considered to be rather more favourable. There was no doubt that the general paralysis experienced by trade and commerce had checked the power of consumption in this country; and this accounted for a portion, at all events, of the distress which now prevailed among the West India interest. At the same time, whilst he made this admission, he also felt, with the noble Lord, that there were causes operating on the West Indies of a more special and permanent character. The noble Lord, in the speech he made that night, had contradicted his own clients; and he had said that which was in contradiction to all the letters he (Earl Grey) had received for the last nine months, and to all the pamphlets—and there had been many—which had been published during the same period of time. The distress was not dated by these writers from the year 1846, but from a much earlier period. It was only the day before he himself had received a letter, which stated that up to 1838 the West Indian estates had been prosperous, but since then they had been in a different condition. Now, his opinion was, the distress of the West Indian interest dated from a much earlier period than 1838. He had a lively recollection of the noble Lord, in the House of Commons, describing the condition of the West Indian colonies in that year, and that he then said that for nearly half a century previous there had been alternations of short periods of delusive prosperity and long periods of extreme distress. He thought that his noble Friend himself could not have forgotten that he had so expressed himself, and that he supported that statement by a document of a remarkable description—namely, a report of a Committee of the House of Assembly of Jamaica. Whilst dwelling upon these facts, he wished to be understood as being quite ready to admit that since the period of the abolition of slavery in the West Indies, the period of prosperity had ceased, and that distress, which had formerly been frequent, was now continuous. Since 1838 it was, he admitted, impossible to show that there was anything like prosperity amongst the general body of the West Indian colonies, because there were some exceptions to be found even to that observation. The speech that had been made by the noble Lord rendered it necessary for him to trouble their Lordships with stating what, in his opinion, were the true causes of the distress; and in doing so he had no hesitation in saying that the great and the real cause of the distress which weighed upon the West Indian colonies was the mistake which the Parliament here had made in its legislation of 1833. He believed that the mistake they had made in their manner of carrying emancipation was the true, the original, cause of that distress. He objected to the measure proposed in 1833, when it was brought forward, because he saw how it would work. The consequences that he then anticipated had since happened, with this single exception—that, on the whole, the measure had worked less ill than he anticipated it would have done; and more

sugar had been produced under its operation than he had supposed there would have been produced. He did not wish to revive old and almost forgotten controversies with the noble Lord opposite; and he should not now refer to them if they did not bear so strongly on the arguments which he meant to address to their Lordships. With this apology for now referring to them, he asked what was the great fault of the measure of 1833? He thought the measure was defective in this—that, instead of making any provision for the obvious consequences likely to follow from emancipation, it left the negroes without any adequate motive to labour. The apprenticeship had that night been admitted by the noble Lord to be a modified kind of slavery; but when he (Earl Grey) had said so in 1833, his assertion was treated by the noble Lord as if he had given utterance to an absurdity. But, however, the noble Lord now admitted it was a modified kind of slavery. Instead of dealing at once with the difficulties of the case—instead of taking some means to bring to bear on the mind of the negro an adequate stimulus, when the stimulus by which he had hitherto worked was withdrawn—instead of doing this, you contented yourself with merely adjourning the difficulty for a period of a few years, and by doing so you aggravated all the difficulties by which, under any circumstances, the momentous change must be inevitably accompanied. He owned that he was surprised to hear the noble Lord opposite say, that in 1833 he (Earl Grey) was of opinion that emancipation should take place without precaution. The precautions were indispensable, and the noble Lord did not provide them. What he did say was this, that Parliament ought not to provide them—that Parliament was totally incapable of legislating for the detailed management of the affairs of that part of the world—and he said that if Parliament would content itself with laying down the great principle that every man should be free, and that the law should be applied, the local legislature could then safely be trusted with the task of legislation and of regulation—then it could execute the task which you were totally incapable of performing. They knew the circumstances of each individual colony—they could adapt measures to the peculiar circumstances of each—they could pass the laws—he said let them do this, and that they might be able to do it, let the period when emancipation took place be somewhat more remote than the noble Lord proposed. He said, that a year was not too much to give to any legislature; that if freedom was established, if the law was applied to all classes, the colonies might safely legislate for themselves. To any system of qualified labour, to any quantity of modified slavery, he said the local legislature ought not to be trusted; they would of necessity pass laws which would not be satisfactory to all. Then, he said, it would not be their fault, but it would be impossible for them to do otherwise. You could not make laws by which forced labour could be obtained otherwise than by harshness and severity. The noble Lord, when he first brought forward his scheme, was sensible of these objections, and stated that he meant Parliament to provide regulations to accompany apprenticeship; but when he came to undertake the task of drawing up the regulations—and if he referred to his own speech, he would see that what he (Earl Grey) said was strictly and literally borne out—the task of adopting precautions was omitted. It appeared to him, that in legislating, the great and permanent object was to subject the negro to some adequate motives for labour. He, for one, never attached the slightest importance to the theory of those who believed that in the negro race there was some special and peculiar indisposition to labour. He firmly believed that the negro race, on this subject, was very much like the white; and that they would be governed by the same motives by which white men, in similar circumstances, would be actuated; but when he considered what was the actual condition of slaves in Jamaica at the time of emancipation, it was clear to him that if emancipation took place without adequate precautions, there would be no stimulus whatever to the negro to work. What was that condition? The Jamaica slave received from his master supplies to the annual value of from 45*s.* to 50*s.*, which was, in point of fact, very much the same as if he were obliged to work for 1*s.* a week, or something less, paid in kind. This, with a patch of ground for his subsistence, and a cabin, was all he cost his master. Now, it was perfectly obvious to him (Earl Grey) that the moment the negro became free, he could claim the value of his labour—he would be able to earn in less than one day in each week more than he before received for a week's labour from his master. That being so, why was he to work more than an hour a day? Was it rational to expect

that, under those circumstances, he would consent, for any wages they could offer him, to give that amount of constant and continuous labour to his master which was absolutely necessary for the profitable cultivation of his estates. That was the argument which he (Earl Grey) used in 1833; and he contended that the truth of what he then advanced had been fully borne out by the result. The whole difficulty arose, in his belief, from the gratuitous use of land by the negro in Jamaica. The extent of land which had been granted, so infinitely exceeded the wants of the population, that it bore, in point of fact, no value in the market, and the negro could always obtain it for a mere nominal consideration. He would, therefore, still obtain the use of land as he did previous to emancipation; and he would in the same way continue to derive the greater part of his subsistence from the cultivation of his land, and would work for wages only so far as to enable him to purchase those articles of necessity which he could not raise for himself. The consequence was, as he had at the time anticipated, and as he declared over and over again, that in the absence of some legislation to raise the price of land, and to render it incumbent upon the negro to work for his master, that the production of sugar must be greatly diminished. He never asserted, as many had done, that the consequence of emancipation would be to cause bloodshed and anarchy in our colonies. The worst result which he had anticipated was the cessation of sugar cultivation. But did he think that that would be a light evil? Far from it. He always thought it of the greatest and most vital importance —far less to this country than to the slaves themselves — that the sugar cultivation should go on. He thought, unless the sugar cultivation were continued, that in the uncivilised and barbarous state in which the negro population then was, the very thing which would tend most to their improvement would be marred and destroyed; and he believed that it was necessary for the real welfare of the negro that he should be brought into a situation in which he should be compelled to do a reasonable amount of work in return for his subsistence. Upon that point he differed at the time from many excellent friends of his, who then took a very active part in the anti-slavery cause. They appeared to think that everything that was bad for the planter was good for the negro. He took a very different view of the matter. He believed that, rightly and truly understood, the interests of the planter and the labourer were identical, and that the interests of both required that slavery should be abolished, but that it should be so abolished that the negro should not be tempted to withdraw himself from the regular cultivation of the ground. At that time, then, another plan passed into a law, the plan of apprenticeship. A few years afterwards that system was abolished, but not by the authority of Parliament, for all that Parliament did was to pass laws restraining abuses which undoubtedly had existed under the system of apprenticeship. At the same time he must say, that he thought the West India colonies were cruelly and hardly treated in that matter of apprenticeship. The system was none of their seeking—they never demanded or desired it—and he had no doubt if the Government at home had required immediate emancipation that the Assembly of Jamaica would have acquiesced in such a step. When that great change was about to take place, he, in his place in the House of Commons, again, but without avail, urged the necessity of some precautionary measure being adopted, founded on the disproportion between the amount of land and the population. In 1833, the planters were prepared to establish a new system, and to act upon the new state of things; whilst, on the other hand, the gratitude of the negroes for the change in their condition knew no bounds; and both parties entertained the best feeling towards each other. But in those five unhappy years, from 1833 to 1838, that state of things had greatly altered. The negroes had discovered that though they were told they were freemen, they were still, as the noble Lord admitted, in a state of modified slavery, and that they did not enjoy the advantages which they had anticipated. The planters, on the other hand, found that they had not reaped the benefits which some of them expected from the apprenticeship; and more than that, they knew that the apprenticeship system was to be but temporary in its duration, and the object of many of them was to make as much as they could during that period, in addition to the compensation, and then to retire from what they looked upon as a ruinous and falling speculation. The consequence was that the pastures were not properly kept up, that the live stock were not properly maintained, and that the necessary preparations for succeeding crops had not been made. But,

more than that, the compensation had originally been given in a manner which prevented its coming in aid of the real necessities of the colony. It went almost entirely to pay off existing mortgages, and did not go to provide new machinery, or to the improvement of the system of cultivation and labour. The consequence was, that in 1838 the change to complete freedom took place under the most unfavourable circumstances which it was possible to imagine; but it also took place without any attempt whatever on the part of the Legislature to subject the negro to any species of moral restraint. He must say that such being the case, it was to him not a matter of astonishment that the consequences had been so disastrous as they had been; on the contrary, his surprise was that on the whole the system had worked so well as it actually had worked, and the more so because there were other circumstances which exposed the planter to considerable difficulties. Amongst these, without going at all into the detail of the subject, he might mention one—the system of taxation adopted in almost all our colonies. He thought, if that were the proper time and place to go into that question, he could show their Lordships that the system of taxation was so contrived as to make it the interest of the negro to devote his labour to his own provision ground, rather than to work for money wages for the planter. But there was another circumstance which perhaps their Lordships would be surprised to hear him enumerate amongst the causes of the planters' difficulties. Nevertheless, however paradoxical it might appear, he maintained that one great source of the planters' distress was the existence in that country of that system of protective duties upon their produce which they had cherished as of such vital importance to their welfare. He thought he could, he said, show their Lordships, by the plainest reasoning, that the existence of that system of protection had materially aggravated the difficulties of the planter. It had done so not only by teaching the planter to look more particularly to this country as the market for his produce, but in a far more direct manner that system had told to the disadvantage of the planter. He had already endeavoured to show that the great difficulty of the planter arose from the want of an adequate supply of labour, mainly to be attributed to the want of sufficient motive on the part of the negro to work for hire; and now he would show that the effect of protective duties had been directly to limit that amount of labour. This was the way in which protection operated. The negro, as he had shown, in the peculiar circumstances of those colonies, under-peopled as they were, and possessing so large an extent of fertile land, could always command the highest wages which the planter could possibly afford to pay. That being the case, it was obvious that the higher the price the planter could afford to pay, the smaller the amount of work which the negro need perform. The higher the price on which the planter could reckon for his sugar, the higher the price he could bid against his competitors for the labour of the negro; and the more that price was forced up, the fewer number of hours in the week it was necessary for the negro to work, in order to live as well as the negro thought it desirable to live. That was, he thought, clear upon the ordinary laws which governed supply and demand. But it so happened that upon this subject he was not left to mere inference of what was likely to result from protection, but he could show them by positive facts that the higher wages had been, the less had been the amount of labour done. A deputation upon this subject waited the other day upon his noble Friend at the head of the Treasury, at which he (Earl Grey) was present. One gentleman, Mr. Greene, made a statement upon that occasion as to the cost at which his produce had been obtained during a series of years in the island of St. Kitt's, with which he was very much struck. Indeed he thought the statement of so much importance that he requested the gentleman to furnish him with it in detail, and he had done so. In one part of the letter, referring to a previous statement, Mr. Greene said—

> "The expenses for labour during the first four years amounted in the aggregate to 6,560*l.*, in producing 15,965 cwts. of sugar; the labour in the last four years cost 8,663*l.* to produce 14,800 cwts."

That was to say, whilst the labour cost upwards of 2,000*l.* more in the last four years than in the first, the amount of the produce fell off by upwards of 1,000 cwt. He would not trouble their Lordships with the details of this part of the subject; but he might remark that when apprenticeship was first abolished, the negro scarcely knew the value of his labour—he was content with very moderate wages, and for those moderate wages he did a fair amount of work. But the existence of protective

duties made the planters compete with one another for labourers; wages consequently gradually rose, and as they did so the labourer became more and more independent of his master, and did a less and less amount of work; and year by year did that become more apparent, as was shown by the statement furnished by Mr. Greene. He thought they would admit that that was a somewhat remarkable corroboration of the argument founded on the general reasoning which he had addressed to them. But he went further. He held in his hand an extract from a despatch, received only a few days ago, from Governor Higginson, the Governor General of Antigua. In this most able and admirable despatch, which he should take an early opportunity of laying before the House, and every line of which was well worthy the attention of Parliament, the Governor General said—

"It cannot, I conceive, be said that the resources of local or native labour have yet been fully developed, and therefore I entertain hopes that the present unprecedented pressure may, in this respect, be attended with beneficial effects. The wages of field work have, within the last three months, fallen from 10*d.* and 1*s.* to 6*d.* and 8*d.* sterling per day, and the price of task or job work has been proportionally diminished; in some cases the latter has been entirely discontinued, which seems injudicious, as tending to check instead of to foster habits of industry, and to hinder those who are willing to devote the whole of their time to working on estates, making the most of their labour."

He then went on to say—and he (Earl Grey) begged their Lordships' most particular attention to this part of the despatch—

"Nor is it apprehended, that by this unavoidable measure the working classes will be subjected to any serious deprivations, for as there is reason to suppose that at the higher rates, by working three days in the week, they were enabled to support themselves and families in ease and comfort, it is anticipated that at the lower rates, by giving their labour more freely and continuously, they have accomplished the same object."

He also held in his hand another despatch, relating to a totally different subject, dated the 1st of January, 1848, in which the writer, Governor Light, incidentally observed—

"The labourer of ordinary work in the field completes his task in four or five hours, hitherto paid at the rate of four, five, or six bits (equal to 1*s.* 4*d.*, 1*s.* 8*d.*, and 2*s.* 1*d.*). Supposing each ratio to be reduced a bit, the labourer, by adding another hour to his work, can still earn as much as before."

He had also seen it stated in the local newspapers, that on the east coast of Demerara, where a contemplated reduction of twenty-five per cent in wages had taken place, it had been met cheerfully and in perfect good humour by the negroes, who would submit to the reduction of wages when they saw it was necessary, but who, when they saw the planters anxiously competing for their labour, would endeavour to get the last farthing they could obtain. The consequence of that reduction was, that at once, and without the expense of immigration, the colony obtained the advantage of an increase of one-fourth to its working population. If that were the case, would any man tell him that the system of protection was to the advantage of the planter? He (Earl Grey) held, on the contrary, that if protection were admissible on the grounds of the general interests of the country, it would be for the interest of the planter himself that we should adhere to the wise determination which Parliament came to in 1846. But there was another ground why protection should not be given to the West India colonist, and that was the burden which it imposed on the people of this country. Was it just, he asked, that the hard-worked and over-taxed people of this country should pay 3,000,000*l.* a year—for that was the smallest calculation of the amount of the tax which would be levied in this country by the renewal of protection—in order to keep up wages in Demerara to such a point that the labourer could earn 2*s.* 1*d.* by five hours' labour, instead of working six or seven, or possibly eight hours a day, in order to earn a like amount? He was sure the case only required to be stated in order to be admitted. The planter would gain by the abolition of protection, because the cost of protection would be reduced, the amount of his produce would be increased, and he would have the advantage of a more constant and a steadier market, free from those vicissitudes which prevailed under the protective system. For these reasons he could not concur with the noble Lord opposite in thinking that the measure of 1846 was to be charged with the extreme distress which at present existed in the West India colonies; nor could he think that Parliament ought now to retrace its steps. Indeed he found that in the opinion of many of the West Indian proprietors themselves it would be vain so to do. He had received a letter a few days ago, in which the writer stated that even if Parliament did retrace its steps it would be impossible to restore confidence in any system of protection. The state of

public opinion, enlightened as he believed it now to have become upon the subject of protection, was such that it was beyond the power of any Parliament to create the slightest confidence in any system of protective duties. But it certainly was right and just that whatever Parliament could do should be done for the relief of the West Indies, and he would briefly advert to the measures of relief proposed by the Government which had been touched on by the noble Lord. In the first place, with regard to the immigration from Africa, he must say that the opinion of the noble Lord was almost precisely the same as his own. Following the views of the noble Lord, the Government had endeavoured, as much as possible, to send to the West Indies all the captured Africans taken on board the slavers; and he thought it was of great advantage that they should go there, for it had been found by experience that they rapidly amalgamated with the population there, that they greatly improved in civilisation, and that they were of great benefit to the colony; but, on the contrary, when they were left at Sierra Leone, the case was far different. It was impossible to contemplate the picture of Sierra Leone without the most melancholy reflections. Every attempt which had been made in that colony for the improvement of the negro had most lamentably failed, and he feared that they would still continue to fail. Its local disadvantages were so great, the want of a sufficient quantity of good land was so much felt, and its fatal, dreadful climate, were almost insuperable obstacles to any decided amendment. It was absolutely painful to hear of the constant vacancies which occurred in the civil establishment; and, numerous as the applicants were, he could not bear to send men to such a climate, where, just as men were beginning to know something of the colony, and were becoming able to do something for the improvement of the negro, they were probably swept off by that dreadful scourge which rendered the country so fatal to the white man. It was most lamentable to contemplate the mortality which existed especially among the missionaries, chaplains, and medical officers, who were so useful there. He thought, therefore, it was of the utmost importance that those captured Africans should be sent to the West Indies, where they would be of the greatest possible use, instead of remaining in a state of barbarism in Sierra Leone at great expense to this country. Hitherto the colonies had been willing and able to pay the expense of conveying those Africans to the West Indies; but looking at the actual state of distress existing in the colonies, he thought it fair to say that for the future that expense should be defrayed from the British Treasury instead of being borne by the colonial merchant. Beyond that, he had endeavoured to establish immigration from the coast of Africa; no immigrant, however, would be allowed to be sent to our colonies in the West Indies, except from our possessions on the coast of Africa, or from that part of the African coast where slavery was known not to prevail, viz., the Kroo coast. From the Kroo coast no emigrants were allowed to be shipped, unless a British officer was present to see that no abuse was practised; and, from the experience already derived, he was in great hopes that this emigration would be productive of much benefit to the West Indies. It was a great object to obtain a return passage to the coast of Africa to a certain number of these emigrants, after they had laboured in the colonies of the West Indies, because upon their return they invariably reported to their countrymen the high wages they received. Their emigration was thus encouraged; and it was likely to prove very successful, because upon a late voyage of Her Majesty's steam-sloop *Growler* she carried back from Demerara to the coast of Africa a number of these men, of whom the Governor reported that twenty-nine had accumulated no less than 571*l.* 15*s.* 10*d.* by their industry. This circumstance showed the high rate of wages in Demerara, and that the Kroomen, who had such an extraordinary affection for their native land that they never consented to leave it permanently, could accumulate sums of money to take back with them. He could not help believing that the return of Kroomen to their own country with so much money would have considerable effect in stimulating emigration of this character; most of them during their residence in the West Indies must necessarily pick up more or less of the English language, with habits of civilised life, so that their return to Africa was likely to be of no slight importance in advancing civilisation and knowledge in those vast regions. So much having been accomplished in this respect, he had to state that Her Majesty's steamers would no longer be employed on this service, because it had been found possible to make arrangements by which merchant

ships bound to the West Indies would, for a very moderate charge, take the coast of Africa in their way for the purpose of carrying emigrants to those colonies. In almost all the colonies there existed colonial laws, under which bounties were granted to those who brought in emigrant labour, which were amply sufficient to remunerate shipowners who succeeded in obtaining an adequate number of passengers; but vessels were unwilling to take the coast of Africa upon their way on the mere chance of securing passengers. Her Majesty's Government had therefore made an arrangement whereby the shipowners would be remunerated for this service, not by the colonies, but by this country. Eight ships had already sailed upon this service, two of which were for Jamaica, two for British Guiana, and two for Trinidad. It had been urged by some parties that entire and unrestricted emigration ought to be allowed from the coast of Africa. He need not remind their Lordships, after the statements he had made, that emigration to the British colonies in the West Indies was entirely unrestricted. Any emigrant, from any part of Africa, who might find his way there, would be received. All that the Government said was, that neither the public money nor British ships should be employed in carrying negroes to the West Indies, who, there was reason to suppose, had been purchased for that purpose. There were some Gentlemen, for whom he entertained the greatest respect, who strongly urged the removal of every restriction. Why not, they said, go to the coast of Africa, and at once buy the slaves there, take them to the West Indies, and make them free? It would improve their condition and benefit the colonies, according these Gentlemen. No doubt the colonies would be benefited by the accession of so much labour, whilst the individuals so removed would find their condition ameliorated; but there was this fatal and insurmountable objection to the plan, that it could not possibly be adopted without stimulating all the horrors of an internal slave trade in Africa itself. Create a new demand of this kind for slaves upon the coast of Africa, that demand would be supplied by internal wars, by fraud, cruelty, and treachery of every description, which would be extended into the furthest recesses of that great continent. He was convinced that no British Minister and no British Parliament would for a moment listen to such a proposal. This was his answer to those who complained that Her Majesty's Government refused unrestricted emigration to the West Indian colonies; the only restriction remaining in force was that to which it would be contrary to their most sacred duty to accede. There was one measure which, applying only to two colonies, required some explanation. It was proposed that an advance, not exceeding 200,000*l.*, should be granted by way of loan, under the sanction of Parliament, to the two colonies of Guiana and Trinidad for the purpose of enabling them to encourage emigration. In 1844 the noble Lord (Lord Stanley) sanctioned the adoption, by those colonies, of plans for raising money by loan for the purpose of emigration. That principle, he believed, had been of some service; but, looking at the cost of Coolie emigration—the temporary nature of the advantages derived from it, inasmuch as it was part of the contract with the Coolies that they should have a free passage back—it was clear that, however well Coolie emigration might have answered for the Mauritius, it was not so well adapted for these colonies. This being the case, he did not think it wise or prudent to charge the whole expense of it upon the permanent resources of the colonies, because the benefit would be gone at the end of five years, whilst the charge would remain. The Government might, perhaps, lament that the noble Lord had been induced to sanction such an arrangement; it had, however, been sanctioned, and during the last three years a very considerable number of emigrants had been introduced into those colonies at their expense. Her Majesty's Government conceived that, under these circumstances, they were justified in recommending Parliament that a loan to the extent he had named should be granted; and the more so, because if they did not, it would be absolutely necessary to arrest at once the experiment of emigration from Africa, which was just commencing with favourable prospects of success. It was also proposed to recommend to Parliament that certain loans which had been advanced some years ago to several colonies which had suffered by hurricanes, earthquakes, and other disasters, which loans were now in course of repayment by instalments, should have the time for repayment postponed. The loans to Barbadoes, St. Lucie, and Tobago, originally amounted to 948,150*l.* In 1840 an Act was passed to grant some delay in the period of repayment; and it was now pro-

posed to extend that period for five years more. The amount now due was 657,000*l.* In 1843 a further loan to the extent of 135,000*l.* was granted to Antigua, Montserrat, and Nevis; and it was intended to allow a similar indulgence of five years' postponement of the repayment. He trusted that, under the circumstances, Parliament would find no difficulty in passing the measures proposed by Her Majesty's Government for the relief of the West India interest. Among those measures was an extensive alteration in the navigation laws; but as that question would come regularly before the House before the end of the Session, he would not enter into the differences of opinion on this subject which appeared to exist between the noble Lord and himself. He was glad, however, to hear the admission of the noble Lord, that if the protective system was not restored to the colonies, it would be absolutely necessary to grant this relief. The next measure of relief to the West India interest was the admission of molasses into distilleries. On this subject the noble Lord (Lord Stanley), had been very severe, exclaiming "what a vacillating and uncertain course you are pursuing—how is it possible trade can flourish when you do one thing this year, and undo it next? Last year," continued the noble Lord, "you refused to admit molasses in your distilleries, but this year you are disturbing that arrangement." If the facts were as the noble Lord had stated, he (Earl Grey) admitted the Government would deserve the censure passed upon them; but they were very different, as the noble Lord would have found if he had been at the trouble of consulting *Hansard.* The real case was this. Last year his right hon. Friend the Chancellor of the Exchequer provided for allowing sugar to be introduced into breweries and distilleries. He stated at the same time there were difficulties with regard to molasses; but the Excise were engaged in inquiries, the result of which he trusted and believed would be that molasses might be admitted; and if their admission was found practicable, he pledged himself to propose it in the present Session. The inquiries referred to had been prosecuted; and the Excise, by whom they were made, had reported there were means, not liable to the dangers of abuse or fraud upon the revenue, by which molasses could be admitted into distilleries. Molasses were accordingly to be admitted into distilleries; but the means had not yet been found of admitting the same article into breweries. If it were possible, he wished them to be admitted. With regard to rum, the facts were the same. From the first, Her Majesty's Government had declared that the principle which they thought Parliament should adopt, was to place the West Indian and the English distiller upon the same footing; but it was a question of calculation. The English distillers claimed a protective duty of a considerable amount upon their rum, in consequence of certain disadvantages to which they were exposed. The Government thought 6*d.* per gallon was sufficient. When the subject, however, was discussed in Parliament, there was a manifestation of opinion so strong that the differential duty was raised to 9*d.* In doing so, however, his right hon. Friend the Chancellor of the Exchequer stated the calculation was not entirely satisfactory to his own mind, and it would again require the attention of Parliament. He believed that all parties were now agreed that the burden should be alike upon all. Such were the measures Her Majesty's Government intended to propose to Parliament with the view of relieving the West India colonies. The noble Lord had told them they were utterly and entirely deceived, and that if they were not prepared to return to the old protective system, it would be true mercy to let ruin fall immediately upon the colonies. He (Earl Grey) should be wanting in candour if he were to pretend that any measure which Parliament could by possibility adopt would have any very great or material effect in putting an end to the distress which unhappily prevailed in the colonies; but he would remind the House, that during the time the West Indies were in the enjoyment of protection, it stood recorded that their complaints of distress were most grievous. And what did the noble Lord do, under these circumstances, when he held a responsible office? Why, as far as he was aware, the only thing proposed by his Administration was a breaking in upon the principle of protection. By their Act of 1844 they broke in, most completely and successfully, upon the principle of protection against slave-grown sugar. He was really almost surprised the noble Lord could keep his countenance when he told their Lordships that the measure of 1844 did not practically expose the colonies to competition with slave-grown sugar; that it merely defined a distinction between slave-grown and free-grown. What, however, had

been stated by the principal author of the Bill of 1844 as to its practical working? His (Earl Grey's) argument had always been, that it was an absurdity to maintain that a distinction of this kind could be kept up. A certain quantity of sugar came into the market, partly grown by free and partly by slave labour. From that general supply you took the portion which was free labour, and you supposed you did not thereby affect the demand for the other. It was real childishness to suppose the remainder would not be affected; and it reminded him of the Irish servant, who thought that by drawing the wine out of the bottom of the cask, his master would not perceive the loss from the top. This subject was made clear by the author of the Bill in his place in Parliament in January, 1846, long before the present Sugar Bill was thought of.

"The amount of free-labour sugar brought into competition with British colonial sugar, has not at all equalled my expectations. I calculated the amount of free-labour sugar, if I recollect rightly, at 250,000 tons; but the amount actually brought in for home consumption has fallen far short of that. I believe the defalcation may be accounted for chiefly by the failure of the crop"

Where? In Java? In any colony producing free-labour sugar? No, but

—"by the failure of the crop in Cuba, and by the consequent increased price of sugar on the continent of Europe, and the diversion thither of supplies which would have been brought to this country from other parts of the world in which there is free labour." *

He must say he thought this statement from the lips of Sir Robert Peel most effectually ended the delusion of supposing that this distinction could be maintained. If you were to let in any sugar besides that grown in your own colonies, it was idle to attempt to distinguish between sugar the produce of slave, and sugar the produce of free labour. He was well aware it did not lay in Governments or Parliaments to make any branch of industry prosperous. If they flourished, and became prosperous, it must be by their own inherent vigour, and by the energy and enterprise of individuals. When Governments and Parliaments interfered, they might easily do mischief—they could not do good. If that was a justification of the noble Lord, it was also a justification to him (Earl Grey); but he thought they were bad friends to the West Indies who told them their cause was hopeless: that there was nothing for them to do but to fold their hands in despair and give up the contest; that slave labour was necessarily and essentially cheaper than free labour. He denied the truth of that allegation upon the highest authority that could be quoted. There was no distinguished writer or philosopher, of ancient or modern times, who had not stated that slave labour, in spite of its apparent cheapness, was really less efficient and more costly than free labour. In the last century Hume the historian, and Dr. Franklin, held the same position; and he felt the utmost surprise at hearing the contrary doctrine from those who had formerly been active in the work of emancipation. What was the great argument of the Anti-Slavery Society? Why, that free labour was cheaper than slave labour. This was the substance of their speeches and pamphlets, and it was supported by elaborate proofs of its truth. Nothing had yet happened to shake his conviction in this great truth. He firmly believed that a wise and gracious Providence had so constituted human nature, that that which was not morally right was never really profitable. He appealed, however, to experience, and he found that wherever free and slave labour had been exposed to competition on equal terms, free labour had invariably gained the victory. How was it in the United States? Could the slave States of the Union compete in any one article with the free States, which their climate and soil enabled them to cultivate? He referred to the cultivation of Indian corn as an example. What had been the case with indigo? At the beginning of the present century our supplies of indigo were derived from the West Indies, but we obtained them now from the East Indies. The fact was, the free labour of the East occupied in producing indigo had entirely destroyed its production in the West, where it was cultivated by slaves. He believed, indeed, that if 150 years ago free-labour sugar had been admitted upon the same terms as the slave-labour sugar of the West Indies—in other words, if we had not protected slavery against freedom—his conviction was, that the Bill of 1833 would have been unnecessary, and that competition with the free labour of the East Indies would have abolished slavery in the West Indies. Let the noble Lord point to one single instance, where the battle had been fairly fought, of free labour having been defeated. If the noble Lord had it in his power to do this, he

* Hansard (Third Series) Vol. lxxxiii. p. 253.

would yield to him. But he would go further, and show that the difference was in favour of free labour in the colonies themselves, upon a comparison with slave labour of the negroes immediately prior to emancipation. The only means of comparing them was by taking piecework in both cases. Day-labour would prove nothing, because though the individual slave cost little, there were such large deductions to be made for sickness, want of skill, and unwillingness to work, and other matters, that no proper comparison could be made from a mere day's work. It was worth a great deal, however, to compare the prices paid to contractors for work done. In Jamaica it was the practice, when the labour upon an estate was in arrear, to contract with the owners of jobbing gangs to perform that labour; and it was known that the jobbing gangs were the hardest worked of any slaves in the colony. Of course there was a good deal of competition, and the planters always got their work done at the lowest rate they could. Previous to emancipation the prices for these jobbing gangs were from 4*l.* 10*s.* to 5*l.* 8*s.*; now, however, the same labour could be contracted for at from 2*l.* 14*s.* to 3*l.* 2*s.* But he might be told to quote nothing but what was official. Well, then, within the last two days papers had been delivered to their Lordships, which were in continuation of the annual reports first required by the noble Lord (Lord Stanley) from the colonies for presentation to Parliament. By the establishment of this practice, the noble Lord had conferred great service upon Parliament and the country. Now, in a despatch of April 2, 1847, their Lordships would find the following statement from the Governor of Tobago, Major Græme. He said—

"It is an error to suppose that in Tobago we give a high rate of wages. The price of field labour varies from 6*d.* to 1*s.* per diem, according to age, for attached negroes, that is, for such as have houses and grounds; but 1*s.* 4*d.* is demanded on Saturdays, which is still, I regret to observe, considered as a day of exclusive freedom, and of exemption from the estate's employ."

This alluded to a very bad system which existed in those colonies of mixing up rent and wages. He believed there were few things which had created more dissatisfaction between parties than the mixing up of two things which ought to be kept so entirely separated. He then went on:—

"It may not here be out of place to give a striking instance of the economy, laying other considerations aside, of free over compulsory labour. The charge in slavery for preparing and opening an acre of land in this island, by the employment of a task gang, was 8*l.* sterling. The same amount of work was performed very recently for 1*l.* 19*s.* 10*d.*, upon a Saturday, too, when the people, as stated above, demand the higher rate of wages. The gang consisted of twenty-six men and women, with four water-carriers; each person opened 100 four-feet cane holes, which very nearly cover the surface of an acre of ground."

Now, those who objected to the authority of pamphlets would, he hoped, admit that he was not without official authority to support him in saying that free labour was cheaper than slave labour. But he did not despair of the success of these colonies. He was bound to say that he did not believe it was within the power of Parliament, or of any measures that their Lordships could possibly adopt, to enable the West India colonies to flourish under the system that had hitherto been adopted with regard to them. For a proprietor in this country to believe that he could by means of agents cultivate land and carry on a manufacture at a profit was, he was satisfied, an entire mistake. He would ask, could the same thing be practicable in this country? He would ask the noble Lord, did he believe that if the very large estates of his family were taken entirely into his own hands, cultivated on his own account, by his own labourers, paid by himself, could he, even with the advantage of being on the spot and of residing on the estate, hope to succeed in making such a system of management work profitably? Their Lordships would, he was sure, agree with him that the case became still more impracticable when the entire management was entrusted to an agent. An agent had not that freedom of action, and he might add sentiment, with regard to his own interest, which was absolutely necessary for the proper cultivation of the soil. Profit depended in Jamaica, as it did in England, on a careful attention to economy of details, combined with a judicious and spirited employment of capital in improvement. This union was absolutely necessary, in order to enable the Jamaica proprietor to compete successfully with the proprietor in Cuba or the Brazils. But so far from believing that the existence of slavery in Cuba and Brazil gave a facility to those countries to compete with Jamaica, he believed precisely the reverse. He believed that but for emancipation the contest between Jamaica and Cuba would have been infinitely more severely felt in the former island than it had been. And they should remember that the business of

a planter was not merely that of an agriculturist, but that he was a manufacturer also, and that, too, a manufacture of the nicest kind, requiring the application of the highest principles of chemistry, and operations of the greatest care. Let them look at what was accomplished in France in regard to the manufacture of beet-root sugar. The imposition of equal duties on the beet-root sugar with those imposed on the colonial produce, it was supposed would entirely annihilate the former; and yet the very reverse had been the result. The manufacture was one of the nicest kind, requiring all the skill of the farmer and of the manufacturer; and to suppose that it could be carried on across the Atlantic by a proprietor residing in this country and ignorant himself necessarily, in the majority of instances, of the details which his agent conducts, was in his mind the greatest delusion. But a very great change was going on in the West Indies at the present moment. Among many documents which had passed through his hands connected with the state of these colonies, he was very much struck with one which he had received the other day from a number of planters in the western part of Jamaica, and who stated that they had invested capital to the extent of not less than 142,000*l.* in plantations in the colony; and they added, what was a most remarkable fact, that with one exception they had all purchased or leased their plantations since emancipation. That showed what a change of system was in progress in that island; and he believed that in the course of a few years more they would see the soil of Jamaica cultivated by planters carrying on business for themselves, and forming resident owners or lessees of the land. So far from believing that the prospects of Jamaica were bad, he was not aware of any part of the British dominions in which there was so favourable a prospect for the investment of capital at this moment as Jamaica. He believed that a man of intelligence and of scientific knowledge, who was not ready to despise local experience, and who was willing to avail himself of all the aid which he could get from any parties in the colony, but, above all, combining the great principles of science, on which cultivation of every kind mainly depends for success, and adopting those plans which they knew had in some foreign colonies been adopted with so much success, of irrigation and draining—and he was told that the former, namely, irrigation, was the great secret of the success of the sugar cultivation in other colonies, though it was a new application in Jamaica—he believed that such a man would have a greater prospect of realising a fortune in Jamaica, than in any other field of investment. He believed that if five or six men were mutually to assist and support each other, and to establish that great improvement which he believed would, by degrees, be generally acted upon in the colony, of having a central manufactory for sugar, he felt persuaded that such a party of men could not fail, with prudence and industry, to succeed. He was convinced that the measures which had been already adopted had stimulated the colonists, and would lead to the general adoption of the wise course which he had alluded to; and he was persuaded that in this manner they would see in a very few years a great change in the condition of the West India colonies. He took a deep interest in the welfare of these colonies; and his strong conviction was that days of great prosperity were in store for them. On the grounds on which he founded these anticipations, he would not detain their Lordships; but he would now conclude merely by again saying that he confidently appealed to the judgment of their Lordships and of the country, whether he had fairly proved that the distress of the West India colonies had not arisen from any measures that had been adopted by the discretion of Parliament, or from any advice given by Her Majesty's present Government.

LORD STANLEY begged leave to trespass for a moment on their Lordships, on a point on which the noble Lord had charged him with having misrepresented the views of the Government. He had alluded to a statement made by the Chancellor of the Exchequer in the course of last Session; and he now begged to read the words used by the right hon. Gentleman on the occasion. The noble Lord here read several passages from the speech of the Chancellor of the Exchequer in the Committee on the resolution for the use of sugar in breweries and distilleries in the last Session of Parliament, referring to the motives which had induced Her Majesty's Government not to include molasses in the Bill about being then introduced. He then continued: He found there a positive declaration that it was not the intention of the Government to allow molasses to be introduced in distilleries, and he made his statement on that declaration.

EARL GREY said, that what the noble Lord

read was perfectly consistent with his statement, as it appeared from the speech of his right hon. Friend the Chancellor of the Exchequer, that molasses were not to be admitted, merely because they did not know how to guard against fraud to the revenue.

The BISHOP of OXFORD said: I hold in my hand a petition, the prayer of which is nearly the same as that of others which have been laid on your Lordships' table. It is a petition from the Council and Assembly of the island of Barbadoes, complaining of the same disasters, and pointing to the same cure as the others I have referred to. Important as I have felt this petition to be, on account of the source whence it comes, I should have begged the parties who committed it to me, to commit it rather to some other person, if I felt that this question could properly be considered a mere fiscal question. I should be glad to leave a subject of that nature to be discussed by the lay Lords I see around me. But I think this question is drawn up into a much higher region, and must be judged on higher principles than a mere fiscal question. This is at once my excuse for addressing your Lordships on the subject, and the reason why, not viewing with the same dread as others do the principle of abolishing protection generally, I think, in this instance, protection ought not to be abolished; for I believe that there are circumstances in which the warmest advocates of free trade would at once allow that the principle ought not to be applied. The man would be thought insane who should claim a liberty to introduce infected bales of goods to spread death and desolation around, on the principle that free trade required that no restrictions should be imposed on establishing an open market; and he would be thought almost equally mad who should deny the legality of a national blockade for the same reason, or who should say that a nation ought to allow its subjects to give pirates firearms in exchange for food, because firearms were dear, and nowhere else could goods be got as cheaply. Any man would be held insane who would speak of this as a free-trade argument. In my judgment, this case comes under the same law. I think the denial of what is called protection to the West Indies, but which I believe in very deed is the assertion of the righteous determination of England to have nothing to do with the slave trade, is an invasion of justice both to the planter and to the negro. This petition points out that the inhabitants of the West Indian islands entered on a vast social experiment at the peril of all their earthly goods, on the faith of a hearty co-operation of the mother country with them. Having entered on that great and, to them, fearful experiment, they complain that you, at the first moment you seem to be pinched yourselves by anything like a sacrifice, turn round, leaving them to bear all the loss, and saying, "Let us have all the credit." This is altogether unjust in a great nation. What has been the argument of the noble Earl? This—that the depreciation of the produce of the West Indies is the result not of the competition of slave produce of Cuba and Brazil, but the general depreciation of all mercantile affairs. But the noble Lord did not answer—I do not know why, unless because it was unanswerable—the argument of the noble Lord (Lord Stanley), when he asked the pithy question, why was it, if the general depreciation of mercantile affairs sank the price of West Indian sugar, that the price of Cuban and Brazilian sugar had risen during the same time? That argument is, I think, unanswerable. The produce of Cuba is just as much exposed to the general depreciating causes which the noble Lord says have operated against West Indian produce; but the fact is, the sugar of the West Indies is now, for the first time, brought into ruinous competition with sugar that can be produced more cheaply. What was the only other argument used by the noble Earl? He told us, that just as the protective duties sank, the price of labour sank also, and that therefore the West Indian proprietors, no longer obliged to give extortionate wages, would be able to produce sugar with gain to themselves; while the negro would still have abundant remuneration for his support, even after the reduction. What did the argument go to? Nothing more than this—that it is necessary the West Indian proprietor should never know anything like prosperity; that he should always be kept on the verge of ruin in order to keep him from paying higher wages than were paid elsewhere, and to compel the black labourers to work as they ought. But one thing the noble Lord has overlooked. We do not deny the difficulty the planters have to contend with in dealing with men who are every year more aware of their value in the labour market, who can provide for all their wants by a few hours' labour, and who are every year able to drive a harder bargain

with masters who must employ them, having no other supply of labour, in consequence of the abolition of slavery and the operation of a new social system, in which they relied on your assistance to carry them through. A prompt command of labour is an absolute necessity in the tropics. Every one knows the importance of a full command of agricultural labour at certain times of the year in England; among the vegetation of the tropics that necessity is increased tenfold; in that climate, where the weeds increase with every shower, the planter must give the price necessary to keep them down, if he would secure any return at all, and thus he is obliged to give almost any rate of wages for labour at these particular seasons. Thus it is that, after all, the admission of slave labour in competing countries makes the difficulty of the West India proprietor. We are told that if men of capital, prudence, and skill, will only go to the West Indies, they could cultivate the land with advantage. We have heard this so often that one begins to hear it with something of suspicion. There are no better judges of where money can be laid out well than those who govern the money market of England; no one will deny that there are masses of money in this country only waiting for any investment that will give a moderate return: if this is the case, and if these good judges, these sagacious men, say it is impossible to lay out money advantageously in the West Indies, I think that it is a practical answer to the somewhat theoretic suggestion on which the noble Earl's speech was based. No answer has been given to the argument that it was an injustice to deprive the West Indian planters of the support they had been led to expect. The Minister of the Crown, in his place in Parliament, said, so it was to be; and Parliament assented to every assurance that they should be protected. This last part of the argument I might carry further even than the noble Lord opposite (Lord Stanley). In my judgment a still greater security was given in the pledge furnished by the religion and morals of England, that it would have nothing more to do with the slave trade. That pledge was not a mere question of how far you were bound by acts and treaties; it was a pledge founded on the labours and sacrifices of all the great men of successive ages—the cautious preparation of Pitt, the zealous exertions of Fox, the labours of those who devoted their whole lives, not to building themselves a great name or vast fortune, but to wiping away a stain from England—to giving a pledge that she as a nation would never more have anything to do with the accursed slave trade. This is a bond stronger than a parchment deed, an engagement more binding than the promise of any Minister. I say you are now sinning against these great men—against these solemn pledges; let the argument be drawn out as finely as you will, you are, in plain English, sharing a future profit with the slave-owning and slavetrading planters of Cuba. The noble Earl tells us it is in vain to exclude slave-grown sugar from the markets of this country—that we shall but drive it to the Continent; and it comes to the same thing whether the 150,000 tons of slave-grown sugar are sold there or in England. All the same, my Lords? Is it the same thing whether I buy stolen goods, or know that another man does it? Is it the same thing whether I keep my hands clean of such an enormity, or commit it because if I do not another man will? Surely this is an argument we ought not, as a nation, to tolerate; it does not agree with that high tone which broke out in many parts of the noble Earl's speech. It seems to me an argument the people of this country will not endure to have urged upon them: they will answer it by saying, even if the evil be done, we must not be the doers of it. Let us remember what the noble Lord stated at the close of his speech; and it may be a prophetic truth, that if we first ruin the sugar growth of our own West Indian islands, we shall give over to the planters of Cuba and Brazil, not only the supply of our own market, but of all the markets of the world. It is a peculiar attribute of slave-produced sugar that it is easily cheapened suddenly, and for a time, by an increase in the importation of slaves. The planter has only to give an order to the slavedealer on the African coast; a large number of full-grown negroes are imported; a great quantity of virgin soil is broken up; the market is filled with slave sugar to the ruin of the competitor, according to a well-known plan of trade. Men say they are prepared to undersell a rival for a few months, drive him out of the market, then raise their prices and pay themselves abundantly. This is what we shall do by putting it in the power of the importer of slaves to ruin our own slower and safer production. Remember another point bearing closely on this subject. The noble Earl has told us it was

an old abolition argument, that free is cheaper than slave labour, and that it was altogether inconsistent in us to urge for an instant the supposition that the West Indies could not compete with Cuba because it is supplied with slave labour. This is entirely a mis-statement, though an unintentional mis-statement, on the part of the noble Earl. It was not an abolition argument that free is cheaper than slave labour, but an emancipation argument. It was always admitted that it was cheaper to import slaves full grown, without the expense of their youth or age, and work them to death in the sugar plantations, supplying their place with others. The argument was first used by Mr. Cropper, of Liverpool; he said, as the slave trade was abolished, it would be cheaper to prepare the slaves for freedom by working them as a black peasantry. I believe free labour is cheaper than slave labour. I believe that Providence has so ordered things that what is wrong cannot be really profitable. But what is the measure of profit? Is it the greatest amount of money got in the shortest given time by the least given quantity of labour? If that is the true value of profit, we ought not to hold up as crimes the acts of the pirate and robber who by piracy and robbery makes himself suddenly rich. But in the long-run God sets his hand against wrong-doing; not by such a suspension of ordinary laws as would make six hours of a freeman produce as much as eighteen of the tasked slave, but by filling the heart with such terrors as those felt by the rich Cuba planter, who trembles, knowing that his wealth of to-day may be lost in an outbreak of his slaves to-morrow, by breaking down all the fabric of morality, peace, and happiness, which alone makes life dear, and wealth worth having. These are the ways in which God testifies at last against the infraction of such laws as this. The question returns simply to this—Shall we, as the English nation, after so many sacrifices to abolish the slave trade, for the sake of one penny in the price of a pound of sugar content ourselves to share the profit of the Cuba planter? Let the House and the country remember, that great as were the abominations of the slave trade, they are now still greater. If the blockade does nothing else, at least it does this, it aggravates a thousand-fold the sufferings of these wretched victims of man's cupidity. You have attempted with your war-vessels to close the ports of Africa, and in thus rendering exportation more dangerous and hazardous, you have made it the interest of the exporter to cram his victims still closer than before in those ships which are now constructed with the one regard to speed; and in this way you but increase the agonies and add to the deaths of those whom you strive to save and preserve. And when they reach Cuba, how, again, do they fare? I am ready to admit that there is no code of slave-laws in the known world which contains, on paper and parchment, so many securities for the life and protection of the slave as the code of Cuba; but in such a state of society as is there presented, that code is a dead letter, and an unobserved document merely. There is no safety, no law, for the slave; and I believe there never was a country where the sufferings and endurance of the slave were greater than they are at this moment in Cuba and in the Brazils. Every horrible feature which has been marked in the history of the enormities of the field-slave system in the olden time is found to be exaggerated fourfold in the unhappy lands of which I speak. Things which were never known, never heard of, in the worst days of slavery in our own West Indian colonies, are there taking place unconcealed in the face of day. The professed importation of the one sex alone, the evident intention to work them, and not to reproduce them, the invariable use of the lash to compel to labour, and the presence of bloodhounds in the plantation by the side of the miserable driver—these things are evidences of the horrors of the system. As one of these drivers said, when the question was put to them, "Do you think I could trust my life in the field if I had nothing more than this lash to defend myself? I must have these brute animals for guardians, and I must have these weapons in my belt, and by these only could I compel the code under which my victims are to live." And this, observe, my Lords, is the system which, as I contend, you are called upon to support and perpetuate. Most truly do I, in my conscience, believe that if these truths, in all their revolting aspect, were made manifest—if the English people would but recognise these facts, and see that it is not a question of protection, one way or the other, but whether or not they shall have sugar cheaper by the sufferings of these slaves of Cuba, the settlement of this discussion would be certain and immediate. Let the principle be comprehended, and the mind of the people will insist upon mo-

rality and honour; they will dash at once from their lips the chalice you offer to them, tinged as it is with the blood of fellow-creatures sacrificed to economy. I am convinced that the people have been misled, and that they are ignorant of the inevitable truth that if they violate their most sacred duties and the holiest feelings, and become abettors in the guilt of others, they will be condemned, in some way or other, to be partakers in the punishment; for, as the noble Lord has eloquently remarked, it is impossible that any nation can continue long to set at defiance the plainest laws of God, without some corresponding suffering accruing to the sinners. You cannot share the Cuba profit without incurring your share of the Cuba guilt; and you cannot incur the Cuba guilt without having recorded against you the Cuba chastisement. Let, then, this question, in all its forcible simplicity, be stated in England, and I doubt not of the result. It may be a little sooner or a little later; but I hope, as ruin to the West Indians is impending, and we may shortly be called upon to abandon ourselves to new treaties with other States, the present moment will be made available to our purpose. Our colonists confessedly tremble on the verge of destruction—let us not forget the proof which the history of the world furnishes, that, the moment lost, we cannot recall the prosperity we might have preserved. This remark will apply especially to the condition of society in the West Indies; and it may be that if the ruin which threatens arrives, no efforts we may make, and no exercise of our power, will be able to restore the position we ought to have maintained. I have ventured to press this matter upon your Lordships once again, because I feel that it is a question of the deepest national morality, as well as of the deepest national prosperity. I have endeavoured to state the argument fairly; and I cannot believe, if the subject be but viewed in a clear light, that after all our anti-slavery labours we will now consent thus palpably to frustrate our own designs, and contradict our own principles. I, for one at least, do declare, if we barefacedly admit this produce of slave labour, on the single ground that sugar will be 1*d.* per pound dearer if we do not admit it—that is, in point of fact, to make our abolition struggle a deep and indelible disgrace to this country; to convert our cordon of ships on the coast of Africa into a glaring piece of hypocrisy; and to render our treaties with neighbouring States an insulting and degrading mockery.

Lord ASHBURTON then rose, but the noble Lord was nearly inaudible. He was understood to express an opinion favourable to the experiment on a large scale of immigration of free labour. In the mean time, however, in the depressed condition of colonial enterprise, much further loss would accrue (pending such an experiment) if the Government did not resort to other modes of relief. If it was admitted to be a national necessity that slave-labour sugar should not be altogether excluded from our markets, then, as we exposed our colonists at such odds to such competition, we were, as it appeared to him, in justice bound to assist them through the transition stage in which they were now passing. He anticipated some benefit from the loans which the Government proposed to tender to the West Indians; but as to the demand which was made for the abolition of the navigation laws, he thought the discussion on that point might with propriety be postponed. The noble Lord laid several petitions on the table, one from the standing committee of the merchants and planters connected with the West Indies resident in the city of London; and another from the planters and other inhabitants of Mauritius, the concurring prayer of which was for the application of some immediate remedy or remedies to the position in which the petitioners had been placed by recent legislation.

The petitions laid on the table.

House adjourned.

HOUSE OF COMMONS,

Monday, February 7, 1848.

Minutes.] New Member Sworn.—For Sunderland, Sir Hedworth Williamson, Bart.

Petitions Presented. By several hon. Members, from an immense number of places, for and against the Jewish Disabilities Bill.—By Mr. Beresford, from Suffolk, and Viscount Emlyn, from Pembroke, complaining of the Conduct of the Roman Catholic Clergy (Ireland); and from Essex, against the Roman Catholic Relief Bill.—By Sir J. Y. Buller, from Axminster and Devon, for Repeal of Duty on Attorneys' Certificates.—By Viscount Palmerston, from Southampton, for Repeal of Property Tax Act.—By Mr. C. Buller, from Norfolk and Cambridge, for Rating Owners in Lieu of Occupiers of Tenements.—By Viscount Morpeth, from Independent Order of Odd Fellows, Manchester Unity, for Extension of the Benefit Societies Act.—By Captain Berkeley, from City of Gloucester, and the Chancellor of the Exchequer, from Halifax, for Sanitary Regulations.—By Mr. Milnes, from Pontefract, for Retrenchment of Naval and Military Expenditure.—By Sir J. Y. Buller, from Torbay, against Repeal of Navigation Laws.—By several hon. Members, from Officers connected with the Administration of the Poor Laws, for a Superannuation Fund.

RELIEF OF THE POOR (IRELAND).

Mr. SCULLY, in the absence of the hon. Member for Limerick (Mr. John O'Connell), asked the following question, which had been put upon the paper by the latter hon. Member :—" Whether, considering the enormous and every-day growing increase of destitution in many parts of Ireland; the nearly total want of means among her small farmers and agricultural labourers to purchase food and maintain their families; and the inability of the poor-law to support the overwhelming pauperism of the country—the Government have not some measure ready for the providing of relief by means of food or employment, and thus far preventing the wholesale wasting and destruction of human life among the poorer classes of Ireland."

Sir G. GREY complained of the inconvenient form in which the question was framed, involving as it did a series of assumptions, the disproving of which, if he were to undertake that task, which, however, he did not intend, would necessarily lead to a long debate. It was unfair in any Member to avail himself of his privilege to insert upon the paper, contrary to the rule of the House, late at night, a question like that which had been read by the hon. Member. On the present occasion he could only repeat what he had already stated on a former occasion, namely, that the Government was not prepared to submit to Parliament a proposition for the resumption of public works, or the system which superseded the public works; that was to say, the system of feeding all the destitute poor of Ireland by means of advances of public money. He would take that opportunity of reading to the House some papers, which would show the manner in which relief had been afforded in Ireland under the Poor Law Act :—

" By a statement furnished to the Committee of the British Relief Association by their agent in Ireland, dated the 31st of January, it appears that assistance has been afforded out of the funds at his disposal to those unions in which either a temporary pressure arose from the inefficient action of the board of guardians, or the extent of the distress really exceeded all the power of legal relief duly and fully exerted by them. ' The selection of the proper cases for the interference of the association was made by the Poor Law Commissioners ; and the expenditure of the relief afforded at their recommendation was superintended by the temporary poor-law inspectors, and accounted for according to the provisions of the Irish Poor Relief Acts.' But the chief mode of relief adopted by the association has been the assistance given in food and clothing to the children of the poor through the medium of schools. It appears that ' the Commissioners decided, on the 29th of October, that such assistance should be given.' On the 6th of November the agency issued a circular letter to the inspectors of twenty-five unions, acquainting them with the intentions of the association, and soliciting their co-operation. All the inspectors responded to the appeal, and set out, without delay, to bring the intended relief into operation. The returns of the first week, ending the 28th of November, showed eighteen schools, with 2,136 children daily attending them. The returns of the last week, ending the 23rd of January, showed above 44,000 children, to whom relief was afforded by 655,229 weekly rations. The increase during the intervening eight weeks was gradual. The total number of rations issued since the beginning was 2,111,513. The assistance which is given in food to children becomes a great auxiliary to that given for the out-door relief and otherwise, and meets a case of the utmost exigency which had sadly needed the charitable interference of the committee. The reports of the inspectors upon this subject, and which I have laid at different times before the committee, concur in this. They also bear testimony to the visible and daily improving condition of the poor unhappy children, to the cheering and beneficial reaction which this provision has had upon the parents, and to the faithful appropriation and distribution of the bounty by those intrusted with it."

" Extract from Poor Law Inspector's report at Skibbereen, Jan. 30, 1848 :—' Many lives (I may say, hundreds) have been saved by the plan adopted of giving food to the children at the schools.' "

The House would also, he was sure, excuse him for reading an account of the amount of the poor-rates collected in Ireland in 1847 as compared with 1846, which, he was happy to say, furnished most satisfactory indications of the ultimate success of the Poor Law Act :—

" Amount of poor-rates collected in Ireland in the last quarters of the years 1846 and 1847 :—

	1846.	1847.
October ...	£26,805	£121,255
November ...	36,639	151,684
December ...	46,440	168,860
Total ...	£109,884	£441,799

Total amount collected in the twelve months :—

1846.	1847.
£390,071.	£970,318."

The returns for January, 1848, were not yet complete, but the sum collected would probably amount to 170,000*l*.

DISABILITIES OF THE JEWS.

Lord J. RUSSELL having moved that the Jewish Disabilities Bill be read a Second Time,

Mr. STAFFORD said, he had intended to have presented certain petitions that evening, but he should now have to present them at a future stage of the Bill. He

would now, with the permission of the House, proceed at once to the more difficult and onerous task which he had undertaken, that of moving that the Bill be read a second time that day six months; and it must be conceded by all hon. Members who were conversant with the debates of the House, whatever might be the opinions which they might entertain on the measure now submitted for their consideration, that any one who rose to address the House on the subject laboured under two of the greatest disadvantages that ever constituted a claim upon its indulgence. In the first place, the subject was one on which the arguments were so very few, and the ground so very limited and so frequently traversed, that no novelty of treatment could be reasonably expected; and in the next place, the arguments themselves were of so sacred a nature, that if they were not interwoven with the character of the Bill itself, he should most reluctantly approach them in the course of the discussion. Although the House had seen a number of petitions presented on this subject, yet those who recollected the number of petitions presented when other similar religious questions were involved, would not fail to remark that the petitions presented that night were comparatively few when considered with reference to the number of petitions presented about Maynooth and other similar subjects. In proportion, then, as the pressure from without was small, the House must consider the question as one of abstract principle. It would be necessary for him to travel over again the ground which had already been traversed, lest it might be said that he and those with whom he acted had seen the unsoundness of their arguments, and had yielded to conviction. The question before the House was not one of religious persecution, and was not even one of religious toleration. These two questions were decided when the Legislature determined that everybody, of whatever religious persuasion he might be, should be at liberty to attend religious worship and hold religious opinions without let or hindrance by the State. The question for present decision was, whether the House should continue to hold that the possession of certain religious opinions, or of no religious opinions, ought to operate as a political disqualification. The noble Lord (Lord J. Russell) had placed the case of the Jews on what he called the broad basis of religious liberty, and he called their political disfranchisement "the last remnant of religious persecution;" and the right hon. Gentleman the Member for Oxford protested against any particular period of our history being chosen as the date of our constitution, both agreeing in thus much, namely, that the whole of our history had been consistent with itself as to the maintenance of a policy whose last remnant we were now called on to remove. He agreed in the main with both these opinions; but he thought that to narrow this question within the limits of this island, or to date back no earlier than from Magna Charta downwards, was to underrate its importance, and to deny it a just amplitude of discussion. If he ventured, therefore, to assign to that system, whose last remnant they were called on to remove, a far wider field than England, and a far earlier date than Magna Charta, and if in support of such a view he was obliged to touch upon sacred and awful subjects, they would believe that he was not actuated by any feelings of irreverence, far less by any Pharisaic arrogance, which not only would there be miserably misplaced, but which was, he trusted, abhorrent to his nature. As soon as Christianity emerged from her dens and hiding places, and was called to embrace nations within her pale, it was believed that the new principles upon which she based her morality must be thoroughly incorporated with legislation, must be completely interwoven with all the customs and usages of life, with all the edicts which restrained the bad, with all the covenants that bound society together, with all the punishments that awaited the guilty, and with all the rewards that consecrated ambition; so that whether in its ministers or its mysteries, its ceremonies, its martyrs, its saints, or its truths, the question was never within how narrow limits they could draw up their religion, but how far, how wide, they could diffuse its salutary waters. As all law, therefore, and all usage, did theoretically rest, not merely on religious but on Christian sanctions, any difference of opinion as to those sanctions was considered not merely as a sin against their great Teacher, but also as a treason against society. True it was that great crimes were committed in this zeal for religious truth; true it was that in its exaggeration it depressed the energies of the human mind; that the wicked traded on it, and that the frivolous trifled with it; but still he was not ashamed to declare that, in the early struggles of Chris-

tianity with the last forms of heathenism and through rough and unlettered ages, they owed to it far more than they were either willing to acknowledge, or even to appreciate; and, even as it was said that the rival vices were each other's present foes, so he believed that zeal was a far better extreme, if extreme there must be, than than to which this age was tending; and he agreed with that French writer who, in the beginning of his *Essay on Indifference*, said—

"The age which is most to be pitied is not the age which is fanatic for error, but the age which neglects or despises the truth."

We were now come to such a state that the last of three questions with reference to those who disagreed with us in religion must be answered by the House. The first question which they had to ask was, "Shall we persecute them?" that is, "Shall we imprison them? shall we torture them? shall we execute them?" That question would, at least in every Protestant, and he trusted in every Christian, country, be answered in the negative. The next question which would arise was, "Shall we, having ceased to persecute them, and having granted them tolerance, connivance, and sufferance, permit them to exercise the administration of the laws enacted by ourselves?" He could see no reason why there should be any distinction between these two descriptions of civil privileges; and therefore the question came to this—"Shall we admit them, not only to administer, but to assist us in the enactment of laws?" Till now that question had been answered in the negative. It was no answer to the opponents of this measure to say that Parliament had been a Church of England Parliament, next a Protestant Parliament, and was now a Christian Parliament. The question, when the circumstances incidental to those changes were discussed, had always been, whether the differences between ourselves and either Protestant or Romanist Dissenters were deep enough to go to the very root of legislature, to affect its whole character, to change its elementary ideas; not whether we should become, or, at all events, proclaim, ourselves indifferent to Christian ethics, but whether or no Christian ethics did not include those brother Christians whom we excluded; and however, with regard to Romanists, the question of foreign allegiance, or, with regard to Dissenters, the security of the Established Church, may have entered into this discussion, it never did enter in such a manner as to affect his present arguments. Till now, they had, ever since the conversion of this island to Christianity, recognised the philosophy, the morality, the ethics, of the New Testament as the basis of all our legislation; and whether they had deposed their monarchs, changed their forms of government, or separated themselves from Popes, still they had declared that the teaching of Him who taught on the Mount —of Him who corrected and contradicted so much of what was "said by them of old time"—of Him who "spoke with authority, and not as the Scribes," was the teaching they were prepared to follow. This was the great acknowledgment and profession they made, as a nation, when they, as a nation, abandoned idolatry, and before sects and differences arose among them. This had been the great acknowledgment and profession which had survived all their differences, and which, in the whole history of this country, was never contravened till the question was brought forward. It was remarkable that it was now proposed to divest our Legislature of its Christianity, for a nation whose polity was eminently theocratic. It was contended that there was no harm in this, because the numbers in whose favour the change was proposed to be made were but few. This appeared to him to be but little better than an insult to those respecting whom such an argument was held. But it was said that this was the last remnant of religious persecution. Now, on looking over the notices for the day after to-morrow, he found the hon. Member for Limerick intended to move that the Lord Chancellorship of Ireland should be open to Roman Catholics. He did not wish to anticipate the discussion which would follow that Motion; but he would venture to predict that that also would be called the last remnant of religious persecution. It must be remembered that, in the eye of the law, the Lord Chancellor was the keeper of the conscience of the Sovereign; and if it were admitted that the Lord Chancellor might be a Roman Catholic, on what ground could any one maintain the exclusion from the throne of these realms of any person professing the Roman Catholic religion also? The right hon. Gentleman the Member for Oxford (Mr. Gladstone) had said that he should deeply regret that the pious and good custom of opening the proceedings of that House with prayer should be

discontinued. Now, he (Mr. Stafford) would assume that a member of the Jewish persuasion had taken his seat, and he would call attention to a form of that House, which might be ridiculous, but which was at present in force. He would call attention to the forms of the House as they existed; but if those forms were considered ridiculous, and the House were prepared to enter into a discussion of those forms, let it be boldly and vigorously done at once. Well, then, if the Jewish Member should be anxious to secure a place to address the House, he (Mr. Stafford) would ask, what ought he to do? Why, he must go down to attend prayer. [*A laugh.*] He could quite well understand that laugh; it was not only a blameless laugh, but it was a consistent laugh in those hon. Gentlemen who wished to vote for this Bill. Those who wished to secure a place must write their names on a card; and what were the two words printed in capitals upon that card? He merely alluded to this in order that it might be known out of doors. Why, the words were, "AT PRAYER;" and he would ask how the name of Lionel de Rothschild could ever fill up the blank underneath these words? If the blank could be so filled up, then he could only say that the rule was an absurdity, and the sooner it was done away with the better. But probably Baron Rothschild would come down and say—"I came in at that time because the Prime Minister of England, in his place, declared that religion had nothing to do with politics, and because the Legislature of England has sanctioned that principle; therefore I came in, and religion having nothing to do with politics, I ask if politics have anything to do with religion? Why do you require me, in order to secure a seat, to attend the worship of Him whom I deem an impostor? I do not ask you to substitute the prayers of the Synagogue for the prayers of the Church; but I ask you to carry out your own principles." If they were going to remove the last remnant of religious persecution, he (Mr. Stafford) would call attention to another grievance seriously affecting that body of religionists in whose behalf it was proposed to legislate. The Jews were compelled to observe the Christian Sabbath as well as their own. Was Parliament, he would ask, prepared to give up Sunday—one of the few remnants of our national religion? Let them ask their hardiest criminals how those criminals commenced their career, and the answer would be, "by neglecting Sunday." He would ask if they were prepared to see England the same as much-lauded France, where Sunday was given up? He had himself seen the shops in Paris open on the Sunday the same as other days; and were they prepared to introduce the system here? There was one other point having reference to this matter on which he must touch. It was with great pain that he ventured to allude to it, but the words must be uttered. It had been asked what, after all, was the great difference between the Christian and the Jew? And that question had been asked and amplified on in a manner which could not have escaped the recollection of the House. His answer was this—A Jewish peasant changed the religion of the world. When that Jewish peasant was brought before the Jewish people, the cry of that people was, "We will not have this man to reign over us." Since that time, from nation after nation, from century after century, through all the vicissitudes incidental to the struggles and conflicts of the human race, the cry had gone up from earth to heaven, "We will have this man to reign over us—we accept the splendid apparatus of prophecy and miracles with which his mission has been announced, and attested as a proof of his glorious Godhead; obedient to his rule we desire to live; strong in his faith we trust to die." And, Sir, concede what we may, maintain what we will, the distinction must exist immeasurable and eternal between those who look upon the cross of Christ as the fit punishment of a convicted malefactor, and us who, amid all our differences and all our faults, still cling to that cross as our best hope of happiness here, and our only hope of happiness hereafter. He then moved that the Bill be read a second time that day six months.

LORD BURGHLEY seconded the Amendment. The question (said the noble Lord), though it appears to me to admit but of very few arguments on either side, is yet one of no trivial nature; it is one on the result of which is to depend whether this Legislature is henceforth to be a Christian one or not; it is a question as to whether it be right or wrong that we admit Jews into Parliament. I wonder that the fact of his being obliged to alter the oath, and erase from it the words "on the true faith of a Christian," which every Member swears to before he can take his seat, does not show clearly to the noble Lord at the head of Her Majesty's Government, that he is bring-

ing forward a measure which will offend in the highest degree the religious opinions of a very large majority of the people of this country. The noble Lord (Lord J. Russell) has argued that the words "on the true faith of a Christian," which appear to have been first used in the reign of James the First, were not then inserted specially for the purpose of excluding Jews, but were adopted to give more sanction to the oath of allegiance taken by those Roman Catholics who were faithful to the Crown, to distinguish them from those who at that time were disaffected. Let this be so. All I maintain is, that this oath has excluded Jews from the time it was first used up to the present time from sitting in this House; and why should you alter it now? Simply because a Jew is prevented by it from taking his seat; one who, however great his wealth, or respectable his character, does still not belong to our nation, but is a member of one which is scattered all over the world, and of whom there are not more than 40,000 in this country. If you alter this oath to suit a Jew, you will next be proposing to do away with the prayers which are offered up daily in this House, because he says that he cannot join in them. If you do away with this oath, you will open the door to any infidel, whether heathen or Mussulman, provided, as in this case, he may have money or influence enough to secure his return for any constituency. You say, in fact, that if a man has money enough to obtain a seat in Parliament, it signifies but little of what religion he is. You are setting up wealth and influence against Christianity; and if you pass this measure, you deny for ever that that religion has anything to do with our constitution. I entirely agree with what the right hon. Baronet the Member for Tamworth said, when he last addressed the House on the subject of admitting Jews to Parliament. On that occasion the right hon. Baronet said—

"I will say that one of the unavoidable consequences of this measure will be that every one of the forms and ceremonies which give us assurance of Christianity must be abolished. It is perfectly obvious that if we pass this Bill it follows, as a necessary consequence, that every form of oath which requires a profession of the Christian faith must be abandoned. Now this is a most important alteration in the usages of the country. Before Catholics and Protestant Dissenters were excluded, there was still a necessity for all public functionaries to profess Christianity; from the earliest period a belief in Christianity was required as necessary to official appointments, or to seats in Parliament. No person who rejected Christianity could obtain office. Therefore, from the first, our constitution was, to say the least of it, Christian. Here then, we have an evident and palpable departure from the principles of the constitution, as admitted and recognised in the earliest periods; and where is the urgency of this vast change?"

These were the words of the right hon. Baronet, nor could he (Lord Burghley) find language better expressive of his own feelings than that which was used at a later period by the hon. Member for the University of Oxford. His words were these:—

"When his hon. Friend used this expression (that they were about to unchristianise England by this Bill), he knew that an attempt would be made to put a misconstruction on his meaning; but his hon. Friend did not conceive that he could use a more appropriate term, or one more approaching to the nature of truism, with regard to this subject."

He trusted they would not believe him to be actuated by any hostile feeling towards the Jews. He had not read the history of that people in such a spirit, nor in such a spirit did he now resist their claims. He trusted that the better part of the Jewish nation would give him credit for being able to differ from them in that spirit of charity which it was the duty of all religions to inculcate.

Mr. W. P. WOOD thought the disqualifications affecting the Jews reflected so much disgrace on our legislation that the sooner they were removed the better. The hon. Gentleman who moved the Amendment had called upon them as Christians to reject the Bill; but he on religious far more than political grounds, and as a member of that Church which he believed to embody the purest form of Christianity, called upon them to support it. Twenty years had elapsed since he first signed a petition in favour of the Jews. He had often since then revolved the matter in his mind, and the lapse of time and the accession of experience had only tended to strengthen his conviction that the removal of Jewish disabilities was a measure which was sanctioned by considerations of justice, truth, and policy; and that therefore the sooner it was carried out, the better it would be for the honour of the country. That religion should have no connexion with politics, was a maxim which had passed into an adage; but, like most adages, it was susceptible of a double interpretation. All men knew that after death came judgment; and, knowing this, it was impossible but that they must feel that in the performance of their political duties they were bound to keep in mind

their religious obligations. The sense of religious obligation produced the consciousness of moral responsibility; but with the Christian his faith was his moral life; and in that sense it was manifestly meet and natural that there should be a connexion between religion and politics. But there were other senses in which the adage had a meaning. It was not desirable to see the ministers of religion on the hustings; and a resolution of the House forbade their entrance there. As applied to the present occasion, however, the proper interpretation of the adage was, that religious opinions should be no qualification or disqualification for political station or the enjoyment of political rights. Interpreted in that sense, which was evidently the rational reading, the adage conveyed a principle which he adopted and would ever maintain. If they looked back to the earliest periods of Christianity—to the time of its holy Founder, and of the apostolic followers of that Founder, and to the period of the purest state of Christianity—they would find that it was then distinct from politics and from all matters of State policy; and that it was only when corruption began to affect it, that such a close union existed between it and the State. He had a deep repugnance to quote from Scripture in the debates in that House; but the memory of hon. Members would doubtless supply them with numerous Scriptural passages which attested the anxiety of the Divine Founder of Christianity to disclaim all politics and judicial functions, and to keep the kingdom of Cæsar as distinct as possible from that of God. The hon. Member who moved the Amendment had referred to the Jewish theocracy: why, that was the strongest argument against the mixture of civil and religious policy. When the knowledge of revealed truth was confined to one people who were under the immediate government of God, in order to separate them from the rest of mankind, a civil code was assigned them by express revelation, with the minutest directions for their guidance. But when the barrier between Jew and Gentile was broken down, and a new revelation granted to us, coextensive with the world, all such directions were withheld; and, on the contrary, Christians were taught to receive every government as it existed, and were told that they were all ordained of God, though the then rulers were Pagans of dissolute lives and persecuting principles. He therefore rejoiced that the present measure had been brought forward to remove this still existing trace of political error, and to strengthen the line of demarcation between the things which were Cæsar's, and those which were God's. If hon. Members would turn to any accessible book—to *Lardner's Testimonies*, for instance—they would there find that the mistaken course of calling in civil rewards and punishments in aid of religion began after the time of Constantine, and not until the reign of Theodosius, precisely at the period when all of the reformed faith considered that the earliest corruptions of Christianity were introduced. Libanius, in his letter to that emperor, adverted to the then commencing innovations, and complained of them, saying, that he thought a worshipper of Jupiter had been appointed to high office by the emperor. From that time there became gradually introduced a principle more or less of persecution, which, he was confident, no one could find anything to support or maintain in the book to which all Christians referred. He would advert to the argument which had been brought forward, that Christianity was part and parcel of the law of this country. He denied that this was the case in any such sense as could be of the slightest avail for argument on the present occasion. What Christianity was part and parcel of the law? Was it that Christianity which allowed all the Members of that House to exercise their religious worship in the mode in which they now exercised it? Why, if the hon. Member for Oxford University (Sir R. Inglis) had lived 300 years ago, in the reign of Henry VIII., he would have been a traitor and a felon. In that monarch's famous Act of Six Articles, it was declared by the first article that whoever denied transubstantiation was guilty of treason; while the crime of felony was declared to attach to those who impugned communion under one kind, auricular confession, and the celibacy of the clergy; and under such enactments the hon. Member for Oxford University would undoubtedly have been adjudged guilty of high treason. In that sense only, namely, in the sense of recognising one definite form of Christian worship, Christianity had been part and parcel of the law of England. But that was statute law, and it was contended that Christianity was part of the common law. He might be pardoned for showing how that notion had arisen, and how little bearing also it had on the present question. No doubt, at the earliest periods it was assumed that the whole

nation was Christian, according to their established form; and consistently to keep up the total Christianity of the nation in this sense, they must exclude every person who differed from the established religion of the country, not only from public offices, but even from the right of living in the country. This sort of consistency had been followed up by Spain, by the Roman States, by Naples, and by some other countries; and with what result the present condition of those nations would show. That, however, was consistency; and our common law in that respect was consistent, for, concomitant with their notion of Christianity, we had the writ *de heretico comburendo.* That, however, was not directed against persons out of the pale of the Church, or against Jews, but against those who, existing in the Church, maintained opinions contrary to the common feeling of the persons in the Church, and thereby raised disturbance. The first instance of that writ being put in force was in the reign of Henry V., when the Lollards made their appearance, and from their numbers excited alarm. The State came forward with statute law to enable the common law to be put in force; and then they came down to the time of Henry VIII., who found an obsequious Parliament ready to vote for any religion he might think proper, and who obtained the passing of the Six Articles to which he (Mr. Wood) had before referred. This was the sense in which Christianity was part and parcel of the law of the land; and throughout the whole of these proceedings the Jews were never dreamed of, for they were banished from this country in the 8th of Edward I., and did not appear again until the time of the Commonwealth. Therefore it was evidently vain to contend that any laws of bygone times having reference to religious qualifications can apply to the Jews. Then, however, they came to some law cases, which were alleged to lay down the principle that Christianity was part and parcel of the law. These were cases in the times of Lord Hale and Lord Raymond; but they, too, had not the slightest bearing on the question of the right of Jews to fill offices in the State, and to exercise political functions. The first case was a proceeding against a person who had published gross blasphemies against the Author of our faith, and had ridiculed all religion; and the case before Lord Raymond was something similar. Such publications would now be against the law, as reviling religion generally. Then they came down to the time of Lord Hardwicke, when a most extraordinary case occurred. A Jew left a sum of money for the purpose of establishing an institution for teaching Jews; and Lord Hardwicke said, this bequest could not be carried into effect, inasmuch as the object was opposed to Christianity. The noble Lord, however, added, that as it was clearly the testator's intention that the property should be devoted to charity, his relations could not touch it; devoted to charity it must be, and the Crown must be applied to for the purpose of designating to what charity the property should go. And how did the House suppose was the money left for teaching young Jewish children disposed of? Why, the Crown determined that it should be given to the Foundling Hospital, and employed in bringing up illegitimate Christian children. Certainly the testator would have been very much surprised if he could have arisen from the grave to find how the Court of Chancery had carried out his intentions. Now it was very remarkable that this decision occurred in the year 1753, in the famous year of the Jewish Bill. Such was the history of the notion of Christianity being so much part and parcel of the law of the land that every one but Christians must be excluded from political privileges. The cases before Lords Hale and Raymond only went to the point that no one should be allowed indecently to revile the established religion of the country; and with respect to the case before Lord Hardwicke, the effect of what he said merely amounted to this, that finding Christianity recognised by the country as the established religion, he did not feel justified in establishing for a perpetuity by the authority of the Crown an institution for teaching young persons the Jewish religion. Would those decisions justify that House in saying that Christianity was so much part and parcel of the law that it could not admit Jews to the privileges which all British-born subjects were entitled to? The celebrated case called "Calvin's case," in the time of Lord Coke, had been often referred too, as showing that Jews are not natural-born subjects. Now, that case had nothing whatever to do with Jew or Christian; the matter arose on a question whether Scottish subjects born after the accession of James I. to the Throne of England, were natural-born subjects throughout Great Britain? Many incidental points were discussed, and it was laid down that no infidel

could be a natural-born subject, because the devil, whose subject he was, was in perpetual enmity with Christians; and for the same reason it was afterwards attempted to be said that no infidel could sue or move the courts; but that attempt was repressed by the courts. And Lord Chief Justice Willes said in the case of "Omichavel *v.* Barker," that the dictum in Calvin's case showed its authors to be subjects of the devil, rather than those to whom it was applied. This, then, was all the ground there was for saying that Christianity was part and parcel of the law of the land; and could anything be more preposterous than applying it to the present case? Whenever the statutes which had been alluded to required an oath on the admission of a Member of Parliament, they referred to the Roman Catholics, and not to the Jews, who were banished from the time of Edward I. to the time of the Commonwealth. The Jews first came over in the time of William the Conqueror. They established themselves in Oxford University, where they founded Moses' Hall, Jacob's Hall, and Barnard's Hall; and the Jews were never thought of in all this exclusive legislation, and it was by an accident, as the noble Lord (Lord J. Russell) had observed, that they were excluded by certain words in an oath meant to apply to other parties. It was then conceived that making a man say, "on the true faith of a Christian," would estop the Jesuit, and make the man who used it a Christian. If it would have that effect, for his own part he should be most happy to achieve such a result; but the object of the first oath of the kind was to exclude Jesuits and others, who were accused of being implicated in the Gunpowder-plot, from taking any part in the government of the country. As late as the reign of William III., when the principles of toleration had been to a certain degree recognised, an Act was passed excluding Unitarians from certain civil privileges; and that Act provided that if any person "who had been educated in or made profession of Christianity, should deny the doctrine of the blessed Trinity," he should be liable to certain disabilities. Now, he called upon the House to observe how carefully that Act was worded to exclude the case of the Jews. Indeed it appeared to have been framed with special reference to their exception, inasmuch as they had never been educated in, nor made profession of, Christianity, and they were then recently settled in this country. Since that period there had been numerous recognitions of the Jews in various Acts of Parliament — in Acts for facilitating the naturalisation of Jews who had resided a certain time in the colonies, and for relieving them from the necessity of taking certain oaths. In 1833 His late Majesty was advised to give his sanction to an Act of the Legislature of Jamaica, admitting Jews to seats in the Legislative Assembly of that colony; and subsequently the Royal Assent had been given to an Act admitting the Jews into the Legislature of Canada; yet those measures excited no alarm in this country lest our dependencies in Jamaica and Canada should be unchristianised. He considered that there was a great fallacy in the argument that the people of this country were a Christian people, and that they must have a Christian Legislature. Persons meant an exclusively Christian Legislature; but they could not say we were an exclusively Christian people. From the reign of Edward I. to that of Charles II. it might have been said that they were an exclusively Christian people; but from the time that they admitted the Jews into this country they ceased to have any right to treat them in any other manner than as all other citizens and natural-born subjects were treated. The first Christian principle was to do to every man as they would be done by; and he would ask whether it was a Christian principle to say to any men, "You may come to this country in any numbers you please; you may bring your wives and children; you may marry with our Christian daughters; you may accumulate as much wealth as you please, and pay as great a portion of taxation as we think proper to impose upon you; and yet we tell you that you are not worthy to have any voice in the imposition of those taxes." He (Mr. Wood) contended that it was most monstrous and unchristian that they should make use of the Jews—that they should avail themselves of their services and of their wealth as far as they could—and yet deny them the privileges of citizenship. Other countries which had adopted the principle of exclusion had excluded the Jews wholly and entirely; but the English people held out many inducements to the Jews to settle in this country, and then told them that they were unfit to be regarded as fellow-citizens. He (Mr. Wood) considered that it was a great mistake to imagine that they facilitated the diffusion of Christianity by this exclusion.

On the contrary, he held that the direct reverse was the fact. He considered that, if they wished to convert the Jew, the surest step towards attaining such an end was to put him on an equality with themselves. Conversion was not a matter of declaration at that table; it was an affair of the heart —an influence which must be produced upon a man's mind and heart. He had been much struck with what a writer of the age of Theodosius had said on this subject. Lactantius, speaking of religion, said—

"Res est enim præter ceteras voluntaria, nec imponi cuiquam necessitas potest ut colat quod non vult. Potest aliquis forsitan simulare, non potest velle."

The simulation might be obtained by the declaration to which he had referred; but if they wished to reach a Jew's heart, they should not put an Act of Parliament between him and them: they must place him on a level with themselves. He was not one of those who held that there was no difference between a Christian and a Jew. He did not follow an hon. Member who had asked the House to pass the Bill, on the ground that they were all Jews, or the Jews Christians, for he had really not exactly understood that hon. Member. He considered that there was a vast and an awful difference; but he would say, while it had pleased the Almighty, in his inscrutable wisdom, that a veil should be over the heart of the Jews while passages of their prophets were read in which Christians saw the bright dawning of the Sun of righteousness, let them not deepen that gloom by the rank mists of human prejudice and passion. There was only one other point to which he wished to refer. They had been told that the Members could not join in prayer in that House if they were admitted; and the hon. Member who moved the Amendment had complained of some merriment on that side of the House, when he mentioned the subject. He could assure that hon. Member that such merriment did not arise from the solemn subject to which he referred, but from that hon. Member having stated that he wished to secure his place, and therefore had been present at prayers. And this showed how much the most sacred subjects were prejudiced by juxtaposition with secular forms. He confessed he saw no reason why the prayers should be discontinued. He saw no reason why that practice should not be continued, any more than he saw reason for discontinuing a practice which he regretted was not more fully carried out—that of the Members of the House attending Divine service every Sunday at St. Margaret's Church, although the Roman Catholic and Dissenting Members could not be there. But there was a great difficulty about the Christianty of the House. It certainly was not a positive Christianity; for he would ask if the House could come to an unanimous vote on any religious question. They were, however, negative Christians; they certainly were not Jews. It had been remarked on a former occasion that if they admitted Jews into Parliament, they might admit Mahometans and Hindoos; and he saw no absurdity in the argument. It was certainly absurd to talk of such a thing as existing in this country, where there were no Mahometans or Hindoos; but he would ask, supposing a representative system to be established in India, whether, after the experiment of Ireland, where 7,000,000 of people had been obliged for a time to choose their representatives from 1,000,000, any hon. Gentleman would wish that 80,000,000 of Mahometans and Hindoos should be compelled to take their representatives from about 100,000 Christians? Would it be very absurd to allow them to choose Hindoos or Mahometans as their representatives? But in fact Parliament had decided this question. He found in the Act 3rd and 4th William IV., chap. 85, a clause which he considered ought to be written in letters of gold. It was in these terms:—

"That no native of the said territories, nor any natural-born subject of His Majesty resident therein, shall, by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office, or employment under the said Company."

Why, they might at this moment have a Mahometan Governor General of India, or a Mahometan Member of Council, in that country. To show that this noble clause was not dictated by any unchristian principle, he might mention that nearly the whole of the remainder of the Act related to the establishment of bishops and chaplains in the East Indies. In conclusion, he wished emphatically to state his satisfaction that this measure had formerly been brought forward by a Gentleman distinguished no less for his Christian piety than for his cultivated mind, and had now been advocated by the noble Lord at the head of Her Majesty's Government on Christian principles; and as a Christian,

and as a Churchman, he earnestly implored the House to pass the Bill into a law.

Mr. B. COCHRANE said, that he wished, before the hon. Member had concluded his very able speech, he would have explained what he meant by the term "negative Christian." He would not follow the hon. Member through his new edition of the history of England; but would content himself with saying that he differed entirely from him when he said that Christianity was not a part and parcel of the law of England. He differed from him with respect to the Act of 1753; and must observe, that he (Mr. Cochrane) thought a Gentleman so well read in the history of that period as the hon. Member, ought to be aware how much excitement was produced by the passing of that Act, and that it was in consequence subsequently repealed. He thought that many hon. Members would concur in his feeling of very deep regret that the Government should ever have brought forward the question which was now under discussion; for while, on the one hand, no man with a proper sense of character and integrity would sacrifice his conscientious convictions from the dread of having his motives misinterpreted; so, on the other, the charges of intolerance, uncharitableness, and selfish exclusiveness, were such as no man with kind and generous feelings would willingly incur. But the painful character which belonged to all religious discussions was increased on the present occasion, the Bill having been introduced not merely on general grounds, but to meet an individual case—that of a gentleman, than whom none could stand higher in private or public worth, who had been returned as the representative for the city of London. He (Mr. Cochrane) was fully aware what great claims Mr. Rothschild possessed on the consideration of the House and the country—that he had always proved himself a most zealous and generous citizen. It might not be within the knowledge of those present that Mr. Rothschild not only subscribed last year most largely to the funds of the British Association, but also devoted his whole time to their proceedings, and also placed three ships at the disposal of the Committee for the carriage of meal. But then, this was not an individual case, to be decided on personal merits; it involved the greatest of all interests—the interests of religion; and here he would say with how great doubt and fear he approached any question involving religious considerations, having neither the standing, station, nor authority to enforce any argument which he might adduce. The great evil attending the introduction of such serious subjects was, that upon sacred ground, where the best should take their sandals off, the many were compelled to press forward; and in justification of themselves, to rush in where otherwise they should fear to tread. He trusted it would not be deemed presumption in him to venture, with submission and humility, to state the reasons which influenced his vote. There were many questions involving much experience, deep study, infinite knowledge, in which he would be prepared to bow to the superior judgment of those who had made the solution of those questions their own peculiar province. But this was a question in which he thought that much learning and refined reasoning were calculated rather to mislead. Most hon. Members would remember the aphorism of M. de Talleyrand, "Always mistrust your first impressions," because—he continued with true Machiavelism—"they are generally the correct ones." He believed that if hon. Members would take their first sensations as their guides, they would vote against this Bill as entirely opposed to all their earlier feelings, affections, and faith. There was one argument which appeared to him a very important one, and which he did not remember to have heard submitted to the House. The noble Lord at the head of Her Majesty's Goverment had said that he was the more induced to assist the Jews, because it never was the intention of the Legislature to exclude them. Now, he thought, with all due submission, that this was so far from being an argument in their favour, that it was precisely the reason why the Bill should not be introduced. When the Roman Catholics could formerly point to a particular Act of Parliament as the source of their grievance, they might with justice describe themselves as suffering under disabilities, as intentionally and specially prevented from enjoying honourable trusts among their fellow-citizens, and branded with disqualifications. The same had been the case with the Dissenters. Every speech which was made in former years tended to degrade them in the opinions of their countrymen, and they too could point to the disabilities under which they were suffering. But he (Mr. Cochrane) was at a loss to understand how the Jews could complain of being stigmatised, branded

(to use the expression of the hon. Member for Oldham) by intolerance and bigotry, inasmuch as the noble Lord told them the oath was never intended to exclude them. They threw no intentional impediment in the way of their entering the House; this oath was only the form in which our religion expressed itself. Surely there was a wide distinction between the removal of obstacles purposely placed in the way of a large class of their fellow-citizens and an alteration in the expression of their faith, in order to admit those whose religion differed from their own. He (Mr. Cochrane) was not prepared to grant that this was intolerance. On the contrary, he was anxious to see every one enjoying the free and full exercise of his religion. He would say, like the Emperor Constantine to Bishop Acesius, "Acesius, take a ladder, and climb up to heaven by yourself." He would prefer rather to legislate for the Jews in the spirit of Julian, than in the spirit of Cyril of Alexandria. If the alternative were presented to him, he would prefer to rebuild their temple rather than to persecute, destroy, and ruin its worshippers; but they were not called upon to decide between fraternity and persecution, but calmly, advisedly, dispassionately to change a long-established form, venerable, and not without value, even if only a mere form. They were asked—and here mark the distinction—not merely indeed to admit Jews into our Legislature, but so to alter its Christian character, that, as a consequence, not merely Jews, but members of every description of faith, however cruel and barbarous, might of right take their places amongst them. And there were Members, like the hon. Member for Ennis, who did not surprise him, and others, like the hon. Baronet the Member for Bedford, who did indeed surprise him, who anticipated with pleasure the time when the benches of that House might be occupied by Mahometan, Hindoo, or Parsee. He had carefully perused the former debates on this subject, and it struck him with pain that, whereas hitherto the question was argued on the simple merits of the Jews—and the necessary consequence of this change was studiously kept out of sight—they now accepted the position, and boldly admitted the consequences. If it were a question of respectful adherence to the Sovereign of these realms—if it were even a question of that oath which they took at the table of abjuration of the house of Stuart, obsolete and absurd as it was now become—he believed that there were few who would vote for its abolition, unless some other were substituted, conveying the same expressions of loyalty and devotion to the Throne. And still further, if it were even a question of some mere form, the outward sign of reverence to the Monarch of these realms, he believed the House would unanimously reject the proposition for its abolition. Should, then, a man do so much for his Sovereign, and do less than this for his religion? But then some hon. Members said that there was no medium between equal privilege and direct persecution; and one went so far as to declare that unless they were prepared to grant this right, they might as well go back to the period of torture and thumbscrew. But let them turn this position; if there were to be no limit to toleration, were they prepared to admit the Jews to the highest offices in Church and State? Assuredly not; consequently they did themselves assign a limit to toleration, and the only question was, where is the line to be drawn? If with great deference he might be so permitted to express himself, there was one argument of the noble Lord at the head of Her Majesty's Government which greatly astonished him, "Because," said the noble Lord, "we yielded to the Roman Catholics when their power and influence were represented by millions, it would be cowardice in us to resist the importunity of thousands." However inconclusive, this would be an admirable argument if the Government had emancipated the Roman Catholics through the influence of fear. Then, indeed, it might be said that we should not deny to the weak that which we had conceded to the strong—reject the gentle request, and crouch beneath the *brutum fulmen;* but if this were so, it was a new reading of this chapter of English history. He thought the Catholic Relief Bill was the result of strong convictions, of generous feelings, of a sense of justice; and if, among the phalanx of noble and illustrious statesmen who carried that measure, there were any who entertained the least sense of apprehension, it could only have been the apprehension of the judgment of posterity, if they left six millions of their fellow-countrymen disqualified from serving their King and their country in Parliament. It never would be believed that the Government was driven into such a measure from cowardice, and therefore it hum-

bly seemed to him that the argument was quite untenable, seeing that the Jews cannot be numbered even by tens of thousands, and that they were not our fellow-Christians. Some hon. Gentlemen drew examples from other countries; it was true that in France all sects were admitted into the Chambers; but then if they would follow such instances they did not go half far enough; for on the 2nd of December, 1830, it was voted that the religious teachers of the Jews should receive salaries from the State, in the same manner as teachers of different denominations. And what was the condition of France? He would not be tempted to speak disrespectfully of any country; but could they be blind to the fact that it stood on a volcano, and that the want of religion was sadly felt? This was the consequence of a revolution which had robbed all institutions of their sanctity—where, in the beautiful language of the hon. Member for Surrey, the tendency of all legislation is *liberare*, to set free—where the King is no longer styled his Most Christian Majesty —where a Peer of the realm, the Count d'Alton Shée, publicly boasted that he was neither a Catholic nor a Christian. But even in France, even in the worst days of the Reign of Terror, it was Robespierre who said, "that the man who would weaken religious ties was the greatest of all fanatics"—"*Si Dieu n'existait pas, il faudrait l'inventer.*" No; they might learn the lesson from France, of how much wretchedness a country passed through which threw off all religious obligation, and how little religion there was in a land where the State cast an equal protection over all. Yes; it was true that we also had passed through our revolutions, but then ours were revolutions in defence of our religion. As the great historian, Mr. Fox, said—

"Accordingly, as the sequel of James II.'s reign will abundantly show, when the people found themselves compelled to make an option, they preferred, without any inconsistency, their first idol to their second; and when they could not preserve both the Church and the State, they declared for the former."

And now we still cling to those forms of religious expression which, however, they might be despised by the philosophical spirit of the day, were not without their beneficial influence on the heart. So the Sovereign was still said to reign by the grace of God. He continued to be styled the defender of the faith. Both Houses of the Legislature had their chaplains and forms of prayer; for as M. de Barante had beautifully expressed it—

"There is some analogy between religion without an establishment, and virtue without practice; and as monarchy is the outward form in which the spirit of man's inward reverence for man spontaneously clothes itself, so a church with its rites and its ceremonies is the outward form of an inward religious faith."

He had carefully avoided uttering one word against the Jews. He had defended the case on its own rights, not on their errors. He might say, in conclusion, that the apathy which the people had generally shown as to the result of these discussions, the indifference with which the country had received this all-important question, should not be matter of gratification to the Government, even although it might facilitate the passing of the measure. Alas! this leaden sleep—this absence of all excitement—this lethargic torpor, appeared to him to be the saddest sign of the times. Might it not be that all these discussions on sacred things had weakened the confidence and the faith of the nation? and that men began to say, "We will fold our arms in sleep, for it is useless to resist the current which is hurrying us forward; we have conceded so much, that the remainder is not worth maintaining." True, they might reply, *Furor est post omnia perdere naulum;*" but it was idle to urge this maxim upon them. A new language had crept into politics now, they spoke of a *fait accompli*, a *nécessité politique*, a felicitous expedient: be it so, let them apply this if they would to their questions of commercial policy, to their material interest; but at least let the House resist its application to their faith as Christians.

Mr. MONCKTON MILNES said, that if the hon. Gentleman who just sat down had approached this question with considerable difficulty, on account of the religious considerations it involved, he thought it needed some apology from him (Mr. Milnes), who maintained the other side, to enter upon, or even touch upon, the religious grounds of the question, knowing so well as he did, from his short experience of the House, how ill adapted it generally was to the discussion of religious topics. Nevertheless he felt that the religious part of the question had been on that evening discussed with the solemnity which it really deserved; and therefore he should not abstain from taking up such points of the question as he thought the speeches that had gone before him actually required. His

hon. Friend the Member for Northamptonshire had entered into a very fine discussion between what was and what was not persecution. He told them how repugnant to him it would be that this people should be fined or tortured, or should, in common parlance, be persecuted; but his hon. Friend was not prevented by such considerations from being willing to inflict upon a portion of his fellow-citizens something which they almost regarded as persecution, whatever he might do. When they came to take up the matter of persecution, it was the victim and not the oppressor who was to judge of it. All men did not possess the good heart of his hon. Friend, nor would they stop where he would stop; and he had read history less attentively than he thought he had done, if he did not know that it was the admission of this principle which had led to the violation of all right. By permitting persecution of any kind on account of religious opinions, they might go on from step to step, until they passed from the exclusion of his hon. Friend up to the atrocities of the Spanish Inquisition. They must see, therefore, whether there was sufficient ground for them to inflict upon their Jewish fellow-countrymen what they considered as persecution. Notwithstanding the benevolent manner in which his hon. Friend had treated the whole question, he thought that he, in a certain degree, had admitted the charge which was brought in the public press and elsewhere, that the advocates of this measure were indifferent to the religious grounds. He would remind him that amongst the advocates of the measure were Lord Bexley, Mr. Robert Grant, and he thought he might add to those names that of the hon. Gentleman who had spoken so admirably that evening. It would be a very unpleasant consideration if the decision which he hoped they would come to, should be painful to the religious feelings of the people of this country. He always felt it was not only a wise policy, but the conduct of a right-minded man, to respect the religious ceremonies in which he could not participate himself, and those religious feelings in which he could not concur. But on referring to what was shown by public proceedings since this question was brought forward, could they have a more signal proof of the feelings of the people of England, than that this great question would not be an outrage to their feeling? He asked them to contrast the feeling that was manifested upon this Bill, with the feeling manifested on another question—namely, the grant to the College of Maynooth. Talk about there being no excitement with the public on religious questions! how many hon. Gentlemen were asked to vote in a particular way on the question of the increased grant to Maynooth? How many Gentlemen were told of their votes when they appeared before their constituents? How many hon. Gentlemen were very nearly turned out of their seats at the last election because they voted for that grant? He, therefore, could not admit, with the hon. Member for Bridport, that because a state of apathy had passed over the public mind, the people of England took no interest in the measure now before the House, and that they paid no regard to it. On the contrary, he believed that the population of this country looked upon the matter in its proper and legitimate light—that they looked upon the question not as a religious question. When hon. Gentlemen talked of this measure as having a direct tendency to unchristianise the Legislature, they must use the term in its metaphorical and not its literal meaning. It had been said over and over again, and said truly, by speakers during the present discussion, that the House of Commons would be no more unchristianised by the presence of two or three Hebrew gentlemen, than the nation is unchristianised by tolerating their residence in this country. His hon. Friend had stated that this was not the last link in the chain of religious and constitutional security—that if we repealed the disabilities of the Jews, we must go further; and he pointed to the fact of Roman Catholics being still ineligible to hold certain offices in the State. But this exclusion of the Catholics from the highest judicial office in Ireland, did not proceed from any fear with respect to their religious feelings, but because in the Lord Chancellor of Ireland was thought to be vested considerable Protestant ecclesiastical patronage. He believed, however, that the Lord Chancellor of Ireland had no ecclesiastical patronage; and it was upon that ground that the proposition was made for admitting Roman Catholics to that office. The 9th Clause of the Act now before the House provided a sufficient guarantee for the Protestant Establishment. By that clause, Jews were prevented from advising, nominating, or doing anything with respect to any office or appointment in the Church of England and Ireland, or in the Church of Scotland.

And if any of Her Majesty's Ministers had been present, he should have asked them whether that clause would exclude Jews from holding the office of Chancellor of the Duchy of Lancaster, or other similar offices in which ecclesiastical patronage might be concerned. Objection had been taken to the Jews on the ground of their want of nationality—that they were aliens, having no sympathy with the bulk of the population. Now, so far from the Jews not identifying themselves with the interests of the community among whom they were placed, it would be impossible to cite any body of men, in any country, at any period of time, who had so completely assimilated their manners to those of the people amongst whom they had been accidentally thrown; and wherever they had been permitted to reside and transact business, the Jews had greatly contributed to the material welfare of themselves and those about them. He felt that this fact carried with it a great moral meaning. It would be impossible for men, even by the most assiduous attention, to have been so uniformly prosperous, had they not added to extreme industry the sterling quality of honesty in all their dealings. They could not have achieved that prosperity unless they had been both upright and diligent, exercising the very virtues which most entitled them to honour as citizens, and pointed them out as fit persons to act as legislators. If he had read history aright, there never yet had been a test or enactment for the exclusion of any class of persons from the British Parliament, without a distinct palpable object. He found that the oath to be taken by the Roman Catholics was proposed and became law in consequence of the terror which the people felt at the probability of a Popish succession; and the Act itself was passed just after the issue of that obnoxious historical event—the Popish plot. The oath was imposed solely on that account. Every other attempt at political exclusion had been marked by circumstances of a similar kind. He found the British constitution perfectly harmonious on this head—it never excluded parties from power except on grave constitutional grounds—its whole tendency was not exclusive, but inclusive. Just as the English, being a people not of any particular race, but being composed of many races, make their laws, not for the benefit of one class, but for the benefit of the whole community; so is the material of the House of Commons formed of all those men whom the people think proper to send there as their representatives. It was so far unjust to exclude any individual from Parliament who had the character and the means to procure a seat. In his opinion this opportunity might have been aptly seized by Her Majesty's Government to bring forward a much larger measure. They might have adopted that reform with regard to religious tests recommended by the Criminal Law Commission in 1845. The Commissioners recommended one form for the oaths of allegiance and supremacy. Her Majesty's Government would thus have been enabled to take a larger ground. It had been held by high legal authority—in the case of the Duke of Norfolk being sworn as Earl Marshal—that the oath of allegiance was all that was required, the oath of supremacy being merely an explanation of it. All the evidence of history goes to show that attempts at political exclusion have been of no practical advantage. Those countries which confine their political advantages to one race of men, or the professors of one form of religion, not only offer a sad example of their impolicy, but they also show how futile are the plans of human wisdom for purposes of that kind. He might show how much better this country had prospered under an extended system of religious and political toleration, than had other countries where purity of race and uniformity of religion were insisted upon in candidates for public office. Yet in Spain, where the latter system was carried to the extreme, Jews had won distinguished honours from royalty itself. A Hebrew gentleman had been invested with the order of Isabella the Catholic. All those attempts at exclusions, however well carried out, had acted injuriously. It had been attempted in this country; and the case of Mr. Rothschild—he would not call him Baron Rothschild, for he had no wish to see him sit in the British House of Commons as a foreign baron—would show whether the attempt could be carried out. The citizens of London, by the election of Mr. Rothschild, had told the House of Commons distinctly and palpably that they did not approve of this exclusive system of legislature. The people ask the House to remove all those religious restrictions. No stronger test of the feeling of the people could be offered than the election of Mr. Rothschild as one of the representatives of the metropolis. Hon. Gentlemen

might talk of overpowering personal interest, of Government power; but putting that aside altogether, and allowing everything that was said by the opponents of the measure to be true, the election of Mr. Rothschild was a speaking evidence of the opinion of the people. If twenty or thirty years ago any person had said that a Jew would be elected for the city of London, the assertion would have been laughed at. The House could not have any more satisfactory evidence that it could not act more in accordance with the wishes of the people, than by passing this measure. To go back to the religious part of the question. The hon. Mover of the Amendment had alluded to the mode in which the proceedings of the House were daily opened. He had asked whether a Member did not secure his seat by being present at the prayers; and had inquired whether a Jew could be present and join in the prayer? This observation he considered to be quite unworthy of his hon. Friend. Would he make that a reason for stepping in between an enlightened constituency and their elected Member? It was not for such a purpose that the House adopted the solemn manner of opening their proceedings—a manner which every one must feel to be most proper and decorous. When in prayer they asked that they might not be actuated by private and party feelings—that they might be actuated by Christian feelings and Christian principles; and the House would be carrying out those principles, and acting on those feelings, by the passing of this Bill. All fear of their prayers falling into disrepute, even if a few Jews were admitted, might be cast away. Human nature and everyday experience would warrant the anticipation of a contrary result. Some few years ago his hon. Friend and himself were together at Rome; and never in any city did they see so regular an attendance by Englishmen at their place of worship, as at the Protestant church in the eternal city. The very circumstance of their being surrounded by a population professing a different form of religion, led them to exercise a more habitual reverence in behalf of their faith. The admission of the Jews would rather have a tendency to make Protestants reverence their forms more than ever. Something had been said as to the important effect of a fusion of men of different religious opinions. He would offer no decided opinion on that head. This much he would say—that if they would wish to fix a man in those religious opinions which they considered erroneous, they could not do it more effectually than by excluding him from political power on the ground of those opinions—than by telling him, "So long as you hold that belief, you shall not sit in this House." Parties so circumstanced think the exclusion unjust, and cling closer than ever to their creed. The decision to which the House might arrive would be of great importance not only in this but in other countries. The state of the Jews in other countries, was not what it was in this. The question of the admission or non-admission of Jews into Parliament was of comparatively small importance in England; but at the present moment anxious discussions and disputations were being carried on as to the civil rights of Jews in other parts of Europe, and the opinions of the House would exercise an important effect on these discussions. In the Prussian Diet the question of Jewish emancipation had been discussed at considerable length; and it was decided that Jews should be admitted to hold certain public offices. They were excluded from Parliamentary rights by a majority of three. The objections to the complete emancipation of the Jews secured a majority of twenty-two only. It was most important for the House to throw the moral weight of its decision in the right and just scale. He knew that the hon. Baronet the Member for the University of Oxford looked with alarm on the Bill, and said that its consequence would be not only to emancipate the Jews of England, but to emancipate the Jews of the whole world. He (Mr. Milnes) firmly hoped that such would be its result. He believed that if they should declare that Jews were fit persons to sit in that House, they would materially assist in the extension of liberal principles all over the world. He had little doubt as to the decision of the House—it would most undoubtedly be in favour of the Bill; but that alone would not make it the law of the land. After the manner in which the opinion of the House had been expressed—after the way in which the English people had shown their approval of the Bill—he did trust no other power would step in between a man elected by the British metropolis, and approved by the British House of Commons.

Viscount MAHON wished to state briefly the grounds on which he had al-

ready voted, and on which he meant again to vote, against the Bill now under consideration. In doing so, he trusted, nay, he was sure, that not a word would fall from him tending to the disparagement or reproach of his Jewish fellow-subjects; nor was it in the smallest degree essential to his argument. The Jews in England might be, and he believed they were, remarkable for their ready obedience to the law. They might be, and he believed they were, remarkable for their liberal charity—not confined to individuals of their own persuasion, but extending also to ours. What then? Were those sufficient reasons of themselves to induce the House to divest the Legislature of the Christian constitution which had hitherto belonged to it, and to admit men of any religion or no religion within its walls? For, let it be observed, that the question could not possibly stop at the point to which it was urged; the barriers which opposed the admission of Jews into Parliament once removed, no creed, and, what was much worse, no negation of creed—neither Mahometan, nor Hindoo, nor professed Deist, could be excluded. This had been very fairly stated by the noble Lord at the head of the Government. He had admitted that no further religious barrier could be raised after the concession now demanded; he had said—and the sentiment had been echoed by the noble Lord the Member for the West Riding—that in his opinion no religious creed ought to carry with it anything like a penalty, and that exclusion from the Legislature was a penalty. But this was by no means the view taken by many of the followers of that noble Lord. He (Viscount Mahon) had heard several Gentlemen opposite state in private conversation that they were willing to make the concession claimed for the Jews on account of their respectable character and of the points of their creed which they held in common with them; but that they were not prepared to go further. It was right that those Gentlemen should be informed that it was impossible to limit the application of the principle; once adopted it must be carried to its full extent. If Parliament should declare that a declaration on the true faith of a Christian should no longer be part of the oath required from Members, it would no longer have the right to impose any religious qualification whatever. It had been urged in the course of the debate, that the question of creed should rest between the Member of Parliament and his constituents; that it was for them to inquire what his religious belief was, and to reject or elect him as they might think proper. Let him ask how far that doctrine was conformable with the principles of the constitution in similar cases? It was a principle of the constitution that Members of Parliament should possess a property qualification: might it not be as fairly urged as in the case of religious belief, that that was a matter which could very well be left to the decision of a constituency, who alone were entitled to determine whether they would be represented by a rich man or a poor man? Might it not be said, "What right has any authority to make inquisition into the pecuniary circumstances of a man elected by a body of the people, and say that the object of their choice should not represent them, because he happens to be poor?" The same sort of reasoning might be applied to the oath of allegiance. Everybody knew that in the last century a numerous party in that House supported the Pretender; and it might with just as much plausibility be argued that that was a case of extreme hardship, because the friends of the Stuarts in the constituencies were not permitted to send a few unhappy Jacobites to Parliament. The Archbishop of Dublin had recently published an able pamphlet on the Jewish question, which contained the following passage:—

> "We ought to remember that this is not a Bill to entitle a number of Jews to seats in Parliament as Jews, but to remove the restriction which prevents Christians from electing them. Is it not a scandal that we should think it necessary for the sake of Christianity to impose this restriction?"

How would the Archbishop of Dublin deal with the case of the oath of allegiance? Might it not be said, in the very words which the Archbishop had used, "Is it not a great scandal that we should think it necessary for the safety of the reigning family to impose this oath? is it not an imputation on the loyalty of the people?" Acknowledging, then, a qualification test and an oath of allegiance, why, he would ask, was it inconsistent to demand of all those elected by the people, a solemn recognition of the Christian faith? It was his belief that the admission of Jews to Parliament would be a violation of what had hitherto been deemed an essential principle of the constitution. It had been asked—"What harm can result from the admission of a few Jews?" It was said that they had admitted the Jew to high

civil offices; that he was a member of a respectable but by no means numerous body; and that it was not likely many of that persuasion would find their way into Parliament. In passing, he would observe, that it was by no means certain that only a few Jews would obtain seats in Parliament. Although not very numerous in this country, the Jews possessed a large amount of wealth, and it appeared probable that the number who would aspire to enter the Legislature would be large in proportion to the comparative number of their body. But admitting, for the sake of argument, that the number of Jews admitted to Parliament under the proposed change of the law would be too small to have any perceptible influence on its deliberations or decisions, was that a sufficient reason for violating a high principle? Was it enough to say that no immediate mischief would ensue from what was proposed to be done? This course of argument reminded him of the case of the casuists, so admirably put by Pascal in those letters which would immortalise his name. The casuists maintained that any violation of principle was justifiable if not productive of evil. Thus, for instance, the murder of a tyrant who oppressed his people would be beneficial to that people; thus, again, the robbery of a miser without heirs, and the bestowal of his hoarded wealth on public uses, would be beneficial to the poor. Admit the validity of such reasoning, and there was no act however criminal which might not be successfully defended. He said, therefore, that they must look to the principle itself. The principle was to be maintained entire, and was not to be abrogated merely because no immediate mischief might follow its violation. The noble Lord at the head of the Government laid great stress upon the case of Gibbon; he said, "Of what avail were your religious tests as regarded that disbeliever and powerful assailant of the truths of Christianity? He subscribed the pledge 'on the true faith of a Christian,' and took his seat quietly as one of the Lords of Trade on the corner of the Treasury bench." What advantage then, it was asked, did we derive from the oath he had taken? By way of illustration, he would revert to the oath of allegiance. If it were said that when Gibbon took his seat, and swore on the true faith of a Christian, there was no advantage in that oath, then they must contend also that there was no advantage in a Jacobite taking the oath of allegiance. He had seen at Windsor among the Stuart Papers communications from persons of high rank and station, as, for example, Bishop Atterbury, who had taken the oath of allegiance to King George, but was all the while corresponding with King James. But though the oath could not, it seems, control Bishop Atterbury's Jacobite opinions, it did prevent him from disseminating or defending them. Now, as to the terms in the oath, "on the faith of a Christian." If a Deist took his seat in Parliament, having sworn "on the true faith of a Christian," he might retain his Deistical opinions still, but for his own sake he would conceal them. He could not attempt to diffuse them, or to taunt Christians with their faith. Contrast the case of Gibbon with that of Condorcet, and you had at once a proof of the advantage of the test now sought to be abolished. Gibbon, in the House of Commons, concealed his infidel opinions. Condorcet, in the French Convention, made a boast of them. What would happen if, in the present state of the law, a Member should revile Christianity? He believed that, in such a case, the right hon. Gentleman in the chair would feel it to be his duty to call him to order. But would the Speaker have the power or the right to interfere if the religious sanction were withdrawn? Might not the Member in that case say, "I know not why I should be thus called to order. I have not avowed my belief in Christianity; I have not sworn to any faith, and I am ready to declare, as Condorcet declared, my disbelief in the Christian religion?" The inevitable consequence of parting with the religious sanction would be to lower the tone of debate, and to enable persons to give expression to irreligious opinions and sentiments in a manner which would be most painful at first, no doubt, to the majority, but which by custom would lose its offensive character, and at length become the recognised language of the House. He could not, therefore, resist the impression that this point was one of very great importance. By retaining the Christian oath, though it might not prevent all Deists from becoming Members of that House, it would at least have the effect of excluding all honourable Deists, who would not be guilty of the hypocrisy of taking an oath which did not bind their consciences, while it would also prevent others from openly attempting to make those about them Deists like themselves. The hon. Member for Pontefract (Mr. Milnes) had stated in the

course of his speech, that when at Rome he had visited the Protestant church there, and that he had never witnessed a house of worship better or more fully attended; and that the minority of Protestants there, in the midst of a Roman Catholic majority, were more steadfast and confirmed in their religious principles than they might have been elsewhere. He confessed that he was at a loss to see what argument, or shadow of an argument, was to be drawn in favour of the present Bill from that fact. All that could be deduced from it was this—that a Jewish minority in this House, in the midst of a Christian majority, would be probably more zealous and earnest for their own religious tenets than they were before—and whether the Legislature was found to be very anxious for such a confirmation or reinvigoration of the Jewish faith, he would leave to the hon. Member for Pontefract himself to determine. He (Viscount Mahon) might perhaps be charged with inconsistency in having given his support to the Bill for the admission of Jews to municipal offices, and then opposing their admission into Parliament; but he contended there was a great difference between the qualifications required for performing the duties of a sheriff or an alderman, or a justice of the peace, and those required for discharging the important functions of a Member of the Legislature. It was one thing to frame a law, or to assist in framing it, and another thing to administer that law when already framed. He most willingly accorded to the Jews a share in all municipal rights, and in all the benefits which the late Act conferred; but he thought that the high matters brought under the consideration of that House, mixed, as they often were, with questions most closely connected with those concerning Christianity itself, were not of a nature to admit of Jews taking part in their deliberations. There was only one more point he wished to press upon the attention of the House, and he did so the rather because he saw in the pamphlet to which he had already referred, that Archbishop Whately, although not acknowledging the validity of the argument, yet admitted that it was more worthy of consideration than any of the others which he had attempted to refute. The Archbishop said that it might be argued that the Legislature, by removing practically the last barrier that excluded any person from a seat in the House of Commons on religious grounds, might be understood by the people to manifest an indifference to religion, or a contempt for Christianity; and the passing such a Bill as the one now before the House might be considered as a deliberate admission on the part of the public rulers of this country that they considered a religious principle was of no intrinsic importance. Now, such he did think would be the popular effect of passing the present Bill. He most certainly did believe that the admission of Jews into the Legislature would have the effect of lowering the tone of religious feeling throughout the kingdom; that it would divest the people of that reliance which they at present felt in the religious character of Parliament; and that it would inflict a great and serious wound on the religious conscience of the country. On that ground he was strongly opposed to passing the Bill. He would end as he began, by disclaiming any intention to throw the slightest imputation on the character of the Jews in England; but he deemed it essential to the maintenance of the Christian religion in this country, that the last barrier which separated the believers in Christianity from those who denied Christianity altogether, should be preserved to the constitution. Believing this to be of such essential importance, and involving a principle that admitted of no compromise, he was determined to adhere on this occasion to the course he had on a preceding occasion pursued—to give it his most earnest and strenuous opposition.

Sir WILLIAM MOLESWORTH: Sir, there is one part of the subject which I think has been singularly overlooked, not only by the noble Lord who has just sat down, but by other hon. Gentlemen who have taken the same view of the subject, and it is this: if the Bill of the noble Lord be rejected, what substitute will hon. Gentlemen opposite propose in its stead? Have they well considered this question? Surely they will not let the law remain in its present state. Have they considered the dilemma in which the House is placed by the fact that an hon. Gentleman who professes the Jewish religion is become a Member of the House of Commons? It appears to me that, as a necessary consequence of that event, Parliament must adopt one of two alternatives. Either Parliament must agree to the Bill of the noble Lord, which will enable an hon. Member who professes the Jewish religion to perform his duties in the House of Commons, or Parliament

must pass a law which shall declare null and void the election of any person who does not believe in the Christian religion. It appears to me that Parliament must adopt one or other of these alternatives; for if the House will permit me to call its attention to the state of the law, as it would affect an hon. Member who professes the Jewish religion, I think I can prove to the satisfaction of the House that there is an immediate necessity for altering that law. It is certain that, as the law now stands, an hon. Gentleman who professes the Jewish religion may be lawfully chosen a Member of the House of Commons, and that he is not legally ineligible on account of his religious belief; for, according to Blackstone, "every subject of the realm is eligible of common right" to be a Member of the House of Commons, subject to certain standing restrictions and disqualifications. Some of these depend upon the law and custom of Parliament as declared by the House of Commons; others upon certain statutes. It is unnecessary for me to enumerate these disqualifications. They are to be found in Blackstone, or in any of the ordinary law-books on the subject. No one, however, will contradict me when I assert that "belief in the Jewish religion" is not one of those disqualifications. I contend, therefore, that Baron Rothschild has been lawfully chosen a Member of the House of Commons; consequently he is legally bound to serve in Parliament; for, according to the well-known principles of constitutional law, every person who is lawfully chosen a Member of the House of Commons must serve, whether he be willing to do so or not; and the House has even held that an hon. Gentleman who had been elected against his will was eligible, and could not refuse to serve. Now, by the statute for the trial of election petitions, every hon. Member who is not disqualified for reasons specified in that statute, may be appointed upon an Election Committee. And I find the name of Baron Rothschild on the election panel E, No. 4. He is not disqualified to serve, for "belief in the Jewish religion" is not one of the grounds of disqualification specified in the statute in question. I assume, therefore, that Baron Rothschild will, when his turn comes, be appointed upon an Election Committee. It may be said, that the Committee of Selection will not appoint him: no doubt they will at present exercise a sound discretion upon the subject; but if they were to lay down the rule that Baron Rothschild is not to be appointed, on account of his religious faith, then it is evident they would assume a power which they do not possess under the statute, and for the exercise of which they would deserve censure. I assume, therefore, that, sooner or later, Baron Rothschild will be appointed upon an Election Committee, and that on a certain day he will be ordered to attend in his place to be sworn on that Committee. If he do not attend, the law is imperative that "he shall be taken into the custody of the Sergeant-at-Arms for neglect of his duty, and otherwise punished or censured." If he do attend, without having previously taken certain oaths, what will be the consequences? There are three oaths, which every hon. Gentleman who does not profess the Catholic religion ought to take before he sit or vote in the House of Commons, namely, the oath of allegiance, the oath of supremacy, and the oath of abjuration. Now, the statutes which have reference to the oaths of allegiance and supremacy are different from those which have reference to the oath of abjuration. I need not trouble the House by referring to the statutes with regard to the oaths of allegiance and supremacy. I will merely observe, that if Baron Rothschild were to sit or vote in the House of Commons without previously taking those oaths, he would become a Popish recusant convict under an Act of Charles II., entitled "An Act for disabling Papists from sitting in either House of Parliament," and which Act has been repealed as far as Papists are concerned. Being convicted of Popish recusancy, Baron Rothschild would incur certain pains, penalties, forfeitures, and disabilities; for instance, he would for ever be disabled from sitting or voting in the House of Commons: the House would be entitled to declare his place vacant, and to issue a new writ for a new election for the city of London; and if he were then to be re-elected, all votes given to him, after due notice, would be lost, and an Election Committee would be entitled to seat his opponent. But Baron Rothschild can have no religious objection to taking the oaths of allegiance and supremacy. It is certain that he would be entitled to take those oaths in the same manner as he would take an oath in the courts of justice; for there is no provision in the Act of the 30th Charles II., statute 2, as to the mode in which these oaths are to be taken; consequently he would be entitled at common

law to take those oaths according to the Jewish mode of taking an oath. There can be no doubt upon this subject after the precedent established in the case of Mr. Pease, formerly Member for South Durham. In that case the House held that Mr. Pease, being a Quaker, was entitled to make an affirmation in lieu of an oath at the table of the House, without any specific statute to that effect, on the ground that Quakers are entitled by statute to make an affirmation in lieu of an oath in the courts of law; and being so entitled in courts of law, the House held that they were therefore entitled to make an affirmation in lieu of an oath at the table of the House. Now, in the case of Jews, no statute was ever required to enable them to take an oath in the courts of justice, according to the Jewish mode, for they always possessed that right at common law. Therefore it follows that Baron Rothschild would be entitled to take at the table of the House the oaths of allegiance and supremacy in the same manner as he would take an oath in the courts of law; in the same manner as Jews have taken the oaths in question, when required to do so by various statutes to which I can refer —namely, according to the Jewish mode. There remains, therefore, only the oath of abjuration, which Baron Rothschild is unable to take. What would be the consequences if Baron Rothschild were to attend in his place to be sworn on an Election Committee without previously taking that oath? The statute now in force with regard to the oath of abjuration is the 6th Geo. III., c. 53, which refers to 1st Geo. I., statute 2, c. 13, which latter statute contains the penalties which an hon. Member would incur for voting in the House without taking the oath of abjuration. Now I beg the House to observe—first, that these statutes give no power to the House to unseat an hon. Member who shall sit or vote in the House without taking the oath of abjuration; secondly, that though they require that every hon. Member should take that oath before "he shall vote in the House of Commons, or sit there during a debate," yet in the penal clause, the words "sitting there during a debate" are omitted. The penalty is attached only to the act of "voting," and no penalty is attached to the act of "sitting in the House." Now, I will not assert that there is any legal difference between the act of "voting" and the act of "sitting in the House." But it appears to me that if Baron Rothschild were to obey an order of the House, and merely to attend in his place to be sworn on an Election Committee, it would be a question for the Judges to decide whether such attendance in obedience to the order of the House, under the Statute of 7 & 8 Vic., c. 103, would constitute the crime of voting under the Statute of 1st Geo. I., st. 2, c. 13. But whatever might be the decision of the Judges with regard to the legal character of such an act, it is certain that the House would have no power under this statute to unseat Baron Rothschild, even in the event of his voting in the House without previously taking the oath of abjuration. And it appears to me, likewise, that the House would have no power to dispense with the services of Baron Rothschild on an Election Committee, if he were appointed to serve; for the statute for the trial of election petitions is imperative, that every hon. Member who is appointed must serve, unless specially disqualified; and the omitting or refusing to take the oath of abjuration is not among the disqualifications specified in the statute in question. It is evident, therefore, that the law is in a very anomalous state, and that the House has no power either to enable Baron Rothschild to perform his duties as a lawfully chosen Member of the House, or to relieve him from the obligation to perform those duties. It may be supposed that the House has the power to expel Baron Rothschild, and to order a new writ to be issued for the city of London. I do not deny that the House did possess the power, and may still possess the power, of expelling any one of its Members for any reason or for no reason; but since the period when the House transferred its primary jurisdiction in election matters to its Committees, it has not exercised its power of expulsion, except in cases in which its Members have been convicted of grave offences. According to the law and custom of Parliament, the House would be entitled to expel an hon. Member who was convicted of treason, felony, or fraudulent misdemeanor, but not, I think, for any minor offence; and, certainly, no law nor custom of Parliament can be cited, nor precedent can be produced, which would entitle the House to expel one of its Members on account of his religious belief. But if the House were to expel Baron Rothschild, it is quite clear that as the law now stands, a vote of expulsion would not legally disqualify him from being re-elected to serve in the same

Parliament. It is true that in the well-known case of Mr. Wilkes, the House resolved that Mr. Wilkes, having been expelled the House, was incapable of being elected to serve in that Parliament; and when Mr. Wilkes was again elected, the House resolved that his election was null and void, and that his opponent, Mr. Luttrell, was duly elected. But this vote cannot be cited as a precedent, for it was subsequently ordered to be expunged from the journals of the House, as "being subversive of the rights of the whole body of the electors of this kingdom." In another well-known case, an hon. Member was convicted—unjustly it now appears—of a conspiracy to defraud, and was on that account expelled the House. He was immediately re-elected: his return, however, was not questioned, and he continued to be a Member of the House of Commons, though a prisoner in the King's Bench; consequently, if the House were to expel Baron Rothschild, that vote of expulsion would not render him ineligible, would not disqualify him from being re-elected, and would not relieve the House from the dilemma in which it is placed by his late election. The sum and substance of my argument is this: Baron Rothschild has been lawfully chosen a Member of the House of Commons, consequently he is legally bound to serve, and may be summoned to attend in his place in Parliament. If, when summoned, he do not attend, he must be taken into custody and otherwise punished. If he do attend, he would be entitled to take the oaths of allegiance and supremacy according to the Jewish mode of taking an oath; but his religious faith would prevent him from taking the oath of abjuration. He would therefore refuse to take that oath. What would be the consequence? Now, I cannot pretend to say whether such a refusal would or would not, under the circumstances of the case, constitute an offence for which he could be punished. It is certain, however, that the House has no power to relieve Baron Rothschild from the obligation to take the oath of abjuration—no power to relieve him from the obligation to attend in his place in the House—no power to dispense with his services on an Election Committee — no power to declare his election null and void; and that no law nor custom of Parliament can be cited, no precedent can be produced, which would justify the House in expelling him. If, nevertheless, the House were to expel the hon. Gentleman, he would not thereby become legally ineligible; and as often as the House might expel him, so often would the electors of the city of London be legally entitled to re-elect him. Whether they would do so or not is beside the question. I have shown that a dilemma exists, from the horns of which the House can escape only by means of an Act of Parliament. What that Act should be is the question. The noble Lord has proposed this Bill. The hon. Members who object to that measure are bound to propose a substitute more in accordance with their principles. Why have they not done so? They maintain that Christianity is part and parcel of the British constitution, and that all persons should be excluded from the House of Commons who do not profess the true faith of a Christian; and they affirm that the oath of abjuration is a sufficient test of that faith. To enforce these principles their simplest and easiest plan would be to propose that the law with regard to the oath of abjuration should be the same as the law with regard to the oaths of allegiance and supremacy. For this purpose they need only bring in a short Bill to extend the provisions of the 30th Charles II., st. 2, to the case of hon. Members not taking the oath of abjuration. Then if Parliament were to agree to such a Bill, every hon. Member who should refuse or omit to take either of the oaths of allegiance, supremacy, or abjuration, would, unless he were a Roman Catholic, become a Popish recusant convict, and be subject to all the pains of Popish recusancy; and then the House would be entitled to unseat and declare ineligible both Baron Rothschild and any other hon. Member who professes the Jewish religion. The question is, therefore, between the Bill of the noble Lord, and a Bill to extend the provisions of the 30th Charles II., st. 2. Now, will any one of the hon. Gentlemen opposite undertake to bring in such a Bill? If not, I appeal to them as practical men whether they ought not to agree to the Bill of the noble Lord as the only practicable means of relieving the House from the dilemma in which it is placed by the state of the law, and by the election of Baron Rothschild. Now, the object of the Bill of the noble Lord is merely to make such an alteration in the form, not in the substance, of the oath of abjuration, by omitting the words "upon the true faith of a Christian," as shall enable an hon. Gentleman who professes the Jewish religion to take that

oath. Now, what objection can be made to the proposed alteration? No one can assert that the oath of abjuration was originally intended as a religious test. The only one of the three oaths which had the character of a religious test was the oath of supremacy; and that oath was directed against the Papists, who were the only religious sect of whom our ancestors entertained any apprehension. On the contrary, the oath of abjuration was directed, not against the Papists, nor any other religion, but against the adherents of the Pretender, to whatever sect they might belong; and the words "on the true faith of a Christian" were employed merely to give additional force to the oath of abjuration. It is easy to prove this position, that the object of the Legislature was merely to secure the Hanoverian succession by the strongest oath it could devise, and not to create a religious test. For whenever the words in question, by acting as a religious test, were found practically to prevent a person from taking the oath of abjuration, then the Legislature interfered, and sanctioned the omission of those words. For instance, in the year 1722, an Act was passed which required that all persons of the age of eighteen and upwards, who had not previously taken the three oaths, should take them before the 25th December, 1723. Before that period arrived another Act was passed—10 George I., cap. 4—which contained a clause to the effect that whenever any person professing the Jewish religion shall present himself to take the oath of abjuration in pursuance of the Act of 1722, then the words "upon the faith of a Christian" shall be omitted out of the said oath in administering the same to such person. I find likewise a similar clause in the Act of 1740 (13 George II., cap. 7, sec. 3), which was passed for the purpose of naturalising persons settled in the colonies, and which Act required that all such persons should take the three oaths. These two Acts, therefore, prove that it was the intention of the Legislature not in any way to create a religious test by means of the oath of abjuration, but only to secure the Hanoverian succession by requiring its subjects to take the strongest oath it could devise. Consistently with this intention, whenever the Legislature found that practical inconvenience was likely to ensue from the wording of the oath of abjuration, and that persons who ought to take that oath would be prevented from so doing by the words "on the true faith of a Christian," then the Legislature interfered, and sanctioned the omission of those words. Now, for the first time, the case has arisen that an hon. Gentleman has been elected a Member of this House who professes the Jewish religion, and who cannot, therefore, take the oath of abjuration in the ordinary form. Parliament ought, therefore, in accordance with the undeniable precedents which I have quoted, to interfere, and it ought to enact in this case, as it did in 1723 and 1740, that when any person professing the Jewish religion shall present himself to take the oath of abjuration, then the words "upon the true faith of a Christian" shall be omitted out of the said oath in administering the same. And such is the object of the Bill of the noble Lord. I do not, however, mean to assert that the question under the consideration of the House is to be settled by mere precedents. For it is in fact a question between two great principles, that have battled against each other since the commencement of civilisation. On the one side is the principle of religious equality; on the other the antagonist principle, that the State is competent to determine, and ought to determine, what religion is the true religion. Now, this doctrine of the religious infallibility of the State, has been in all ages, and among all people, the plea for the crimes of intolerance and persecution. Under that plea Socrates was put to death, and the Saviour was crucified. Under that plea the Pagan emperors immolated the early Christians, the Albigenses were slaughtered, and our own fires were lighted in Smithfield. Under that plea Catholics burnt Protestants, Protestants burnt Catholics, and Calvin kindled the faggot of Servetus with the approbation of Melancthon. Even the pilgrim fathers of New England were persecutors, and hung Quakers on the gibbets of Massachusetts. Under the same plea in modern times we excluded Dissenters from our corporations, and Catholics from Parliament. And for the same reasons Jews are now refused a seat in the British House of Commons. But religious liberty has triumphed over the rude bigotry of antiquity, and the cruel persecutions of our forefathers. It will ultimately achieve a victory over the milder intolerance of hon. Gentlemen opposite. The result will be peace and good will among men of every faith who are subjects of the British empire. In legislating on this question, let us remember that we are

not merely the representatives of the people of this small island, which is inhabited by men of one race, one language, and one religion; but we are the rulers over a mighty empire, over millions on millions of human beings of every race, every language, and every religion; and we are likewise the parent stock whence in future ages still mightier empires may spring. In the eminent position that we have attained through the energy of our forefathers and of ourselves—famed as we are throughout the world for sagacity, prudence, and forethought—our practical decisions on the great questions that affect the interests of the human race are watched with intense anxiety by all intelligent and reflecting men. Every onward step that England takes is a step in the civilisation of the world; and the policy of England will gradually become the policy of all enlightened nations. Now, twice of late years we have rendered noble service to our fellow-beings—twice well deserved the thanks of mankind, for the example we have set to the other rulers of the earth: first, when we freed our negro slaves, and proclaimed that to hold men in bondage was inexpedient, unholy, and unjust; secondly, when we removed restrictions on commercial intercourse, broke down the barriers that had long separated neighbouring States, and bound together hitherto hostile communities by the strong ties of mutual interest, which are by far the most potent securities against the hideous calamities of war. Now, Sir, to the principles of civil liberty and commercial freedom, let us join in the government of this empire the third great principle of religious equality. Now is the time—now that the electors of London, the wealthy and energetic citizens of this commercial metropolis of the universe, have chosen as their representative a Gentleman professing the Jewish faith; and let me remark that wherever Jews are to be found despised, persecuted, and oppressed—in Germany or Poland, in Russia or Asia Minor—there the result of this election for the city of London has been hailed by them with joy and exultation, as elevating them to the social state, and putting them on an equality with their fellow-men; for admission into the British House of Commons is justly considered to be a mark of higher distinction to their race than any title or honour that monarchs can bestow. Now, let us confirm this decision of our foremost citizens. Now is the time to declare that as legislators we have no business with articles of faith; that our laws should be silent on all questions of religion; and that as adherents of every creed are to be found among the subjects of the British empire, adding to its wealth, augmenting its resources, and increasing its power, so they should all possess the same civil rights and privileges as citizens. And thus let us sweep away the last relics of the ancient reign of imbecile bigotry and intolerance in its dotage.

Mr. WALPOLE was bound to defend the principle upon which Jews were excluded from a seat in Parliament, without infringing upon that constitution which it was the high boast and privilege of this country to have established. He fully agreed with the hon. Baronet who had just sat down, that the question at issue was not so much one of expediency as of principle. At the same time, he could not altogether overlook the question of expediency; and he thought that the House would see that the reasons based upon this ground for admitting the Jews to Parliament, did not preponderate over those for their exclusion. He would allow that their paucity of numbers was some argument for their admission; and he was still more willing to concede that the high integrity of their character afforded an argument much stronger. But when hon. Members came to apply the common test, which was applied in all cases where an alteration was made in the constitution, they would find that there was no reason for extending these privileges to the Jews. They could not say that at present the Jew laboured under any practical grievance, or was subject to any vexatious restriction. They could not say there was any exclusion on the ground of dress or worship, as on the Continent; nor could they contend that any great principle of civil and religious liberty was to be vindicated. The House should bear in mind that when the Test Act was repealed, the important principle was admitted that Dissenters and Nonconformists might obtain admission into corporations, in the affairs of which, prior to that, they could take no share. The main reason for passing the Roman Catholic Relief Bill was because a large portion of the inhabitants of the empire were nearly in a state of civil war, and it was necessary to ensure tranquillity. Could anything of the kind be said now? The people concurred in the propriety and policy of those Acts; but could it be maintained that they did so with respect to the

present measure? Thirty-six thousand out of as many millions was not such a proportion as could influence their judgment by appealing to their fears, or persuade them by the weight of its authority. But with regard to these very persons, he believed that the mass of them would prefer to continue as they were; that they were content to live under a Christian Queen and a Christian Legislature, who would protect their lives and maintain their religion. Viewing it as a question of expediency, he was prepared to object to it no less than when he considered it with reference to what he conceived to be the fundamental laws of the constitution. Looking to it as a question of principle, there were many considerations of importance which compelled him to inquire if the profession of the religion adopted by the great majority of the people of any country, should be made a necessary qualification before any inhabitant of it should be allowed to take a part in its legislation? In answer to that question, and in order to solve the problem, they must inquire whether men were bound to maintain in their national capacity that which as private citizens they conceived themselves bound to maintain as the truth? He would put that question on a narrow ground: this country was, and always had been, a Christian country — Christianity was a fundamental law in the constitution of the State; and unless it could be proved that there was an absolute necessity to alter it, they should no more abrogate it than any other fundamental law of the State. If the great majority of the people desired the change, and if it were their deliberate conviction as Members of that House that the law should be altered, then, and then only, ought they to make so great an alteration. He thought he could prove that the axiom that Christianity was part and parcel of the law of the land, meant something more than his hon. and learned Friend (Mr. W. P. Wood) was willing to admit. Not to go back to times so ancient as had been referred to in the course of the debate, he would satisfy himself with commencing at the time of the Conquest. There was a remarkable edict issued by the first Norman Conqueror, which contained a profession of faith as founded on the fact of Christianity. Since his time all our monarchs had recognised Christianity, and had confessed the profession of that religion to be their tenure of the throne. At this very moment the Sovereigns were required, at their accession, to profess it, and to promise to maintain the laws of God. According to the quaint old saying in the Norman French of Henry the Sixth's time, the Scriptures were the law of the land, on which all our laws were founded. The authority of Hale and Raymond had been quoted in the debate; but the hon. Member who relied on these high names had forgotten to tell the House the principle on which the first-named great judge had rested the maxim, that Christianity was part and parcel of the law of the land—namely, that anything which struck at the root of Christianity was manifestly subversive of all civil government. Lord Hardwicke also said, in the course of the judgment which had been quoted to the House, speaking of Christianity, that the constitution and polity of the country hung thereupon. If these words meant anything, they must mean that Christianity was part and parcel of the law of the land, in a more extended and comprehensive sense than that it was illegal to scoff at it. But he could not rest here—he could not but think it strange that no hon. Member had referred to the writ by which they were summoned to that House. Could any one read it and say that religion had nothing to do with legislation? In the old form it ran, that Her Majesty was advised to call them together — "*de communi consilio super quibusdam rebus ad regem, statum, et defensionem Angliæ et Ecclesiæ Anglicanæ pertinentibus.*" Here the Church was named last; but Lord Coke would tell them that though the Church was last mentioned, it was the first in intent, for it so appeared in every Act of Parliament. Could it be maintained, then, that legislation had nothing to do with religion? How could those who differed from them in religion, advise them in the very matter wherein their difference lay? and how could a Jew legislate for that Church of England which was incorporated with the very essence of our legislation? If he were right in maintaining Christianity to be a fundamental law of the constitution, he must be also right in maintaining that a change ought not to be made in this respect, unless the great bulk of the people desired it, and that wisdom of Parliament counselled them that their desire was just. Unless this could be done, it would be unwise to disturb the public mind on a matter so serious as the national religion. On looking back to history, he found that the mass of the people had never desired this change at all; and if he

looked to the present time, he could not feel that the petitions presented to the House were any stronger evidence of the existence of such a desire on their part now. On the contrary, a different feeling would be found—not noisy or clamorous, to be sure, but deeply and strongly impressed. Had the hon. Member given any reason for this change? He had listened closely to the whole debate, and endeavoured to form definite notions of the principal arguments which had been adduced in favour of the Bill. The first of these appeared to be that they had advanced so far already that it would be an anomaly and absurdity if they were not to go one step further. It was conceded that Jews might be recorders, mayors, and magistrates; and it was argued that it would be absurd to deprive them of the right to legislate. The noble Member for Bath (Lord Ashley) had hinted at a distinction in this respect which appeared to him sound and just. There was a clear ground of difference, as appeared to him, between the position of those who made the laws and those who had to execute them. The magistrate acted on his own interpretation of the law; but in making that law the Members of the House acted on the principle that they were a part of the constitution. The executor of the laws must not necessarily be a Christian, provided he administered them justly and well; but the maker of the laws ought to be a Christian, inasmuch as those laws concerned a Christian Church and people. The second argument, which appeared to him to be the most ingenious and plausible, so that he was in some degree constrained to admit the force of it, was, that as they had entitled the Jew to be an elector, they should entitle him to be elected also. The right hon. Member for Oxford (Mr. Gladstone) asked who was to make the makers of their laws; and thence proceeded back to bestow on the elective body the principle of legislation, inasmuch as they made those who made the laws. But this argument confounded two matters which were essentially distinct, and proceeded on an assumption which was not correct, namely, that the qualification for the franchise and the qualification for an office were exactly the same thing? Was that so? On the contrary, it was true that by the constitution the right to vote and the capacity to be elected had been always kept distinct. The franchise belonged to the subject, because he had interests to be protected; but the right belonged to him only as a subject of the Crown: in the same way the right to sit in the House was not granted to any man for his benefit as an individual. That was a fallacy on which they all went. Legislation was an office, it was a matter of trust, and the possession of a seat in that House was conferred by the public, for whose advantage alone it was given. It would then be absurd and ridiculous to argue the question on this ground, unless they contended that legislation was an office for the benefit of the individual and not of the nation. He would illustrate the argument by a few examples. The subscribers to an hospital had all a vote in the choice of a physician; but they would never think of electing any but a medical man. Again, all the members of a corporation could vote for the election of a town-clerk; but the citizens would be greatly surprised if they saw any but a member of the legal profession appointed to take care of their interests. But the strongest case of all was that of our own clergy. Until the commencement of the present century the clergy had had the right of sitting in Parliament, and Horne Tooke sat there and voted for the Bill which excluded them; and since that period no ministers of the Established Church of England or Scotland were eligible to seats in that House. Here then was a class of men who might elect, but could not be elected; and this restriction was indigenous to their state, while it was enacted that as ministers of the Established Church they should not sit in the House; and the exclusion was extended to Scottish or Roman Catholic priests. Suppose the minister had no cure of souls, why should he not have a voice in the Legislature? Both these classes of persons had rights and interests which ought to be protected, and the House justly said they should be electors, but not elective—in the case of the ministers, because they should not be mixed up in temporal matters—in the case of the Jews, because they were incapable of acting on Christian principle or feeling; but the exclusion did not extend to Nonconformist ministers. The third argument had been that urged by the noble Lord (Lord J. Russell) in that able way wherewith he was wont in one short sentence to comprehend some great constitutional principle; but in this instance it appeared as though the noble Lord had been carried away by an antithesis. He said—and he was vehemently cheered in saying so—that

all who bore the burdens of the State, ought to be entitled to the honours and emoluments of the State. To a certain extent that was true, but not so in its full comprehension. The best answer to the assertion would be—why, if all who bear the burdens of the State ought to be entitled to honours and emoluments, should you, by the 6th section of this very Act, exclude Jews from the Chancellorship or Lord Lieutenancy of Ireland. There was a just ground for the exclusion; but on the principle of the noble Lord, exclusion could not be maintained. So far from this principle being correct, it would be nearer the truth to say that more of those who bore the burdens of the State were excluded from them, than were admitted to its honours and emoluments. What were the tests, for instance, applied to Members of that House? They were those of age, of sex, of property, of profession, of office, of country. They should remember that those tests had not always existed, or been enforced. With respect to age, for instance, they excluded minors; but they had not always done so, for Mr. Fox sat in Parliament, before he was twenty, for the borough that he (Mr. Walpole) now represented (Midhurst). They excluded persons who had not a certain amount of property; and, let him tell them, there were hundreds of persons in this country as well able to legislate as those who sat there. What was the case of the naturalised alien? Did they not apply to him the test of country? He might have lived with them twenty, thirty, or forty years; he might be as capable of legislating as any Member of that House, and yet he could not be a Member of it, nor a Member of the Privy Council. Did he ask the reason of all this? No; because he did not doubt that there were good and sufficient ones. The statutes of the realm expressed them. If they referred to them, they would find that the naturalised alien was excluded, for the better security of the laws, liberty, and independence of the kingdom, because they had no sufficient guarantee either for his allegiance or his religion, and therefore they passed a perpetual law of exclusion against him. On what grounds, then, could they admit the Jews? Did not the same reasons hold good against him as against the alien? The Jew had a separate creed and a separate interest; he was a citizen of the world, who had no land of his own, unless it should please God in his providence to restore him. He was governed by a rule of life perfectly distinct from all their notions of law and liberty; and if such was the fact, how could they say that he should be admitted? There was one argument urged by the right hon. Gentleman the Member for Oxford (Mr. Gladstone), which seemed to have great weight with the House, and that was, that the constitution of the country was expansive, and that they were first of all a Church of England Parliament, that then they were a Protestant Parliament, and that now they were a Christian Parliament. Following out that line of argument, he did not see why they should not become a Deistical Parliament. He believed that the reason why the right hon. Gentleman's argument met so much favour was from the fact that as since the repeal of the Test Act so many different shades of opinion had found a representative among them, no valid reason could exist why they should not introduce another. It might be true, and unfortunately it was true, that they were a divided people; but the House should recollect that they were united in one point—they were a Christian people still. They were still built up in one form of government, founded upon Christianity, whose seal was the cross. They preserved in their opinions a sort of unity, and they should reflect seriously whether they ought not to preserve that unity even at the cost of being called bigoted. If they introduced all kinds of religion into that House, they ought to consider whether such a course would not give to the people of this country the unfortunate notion that the State was indifferent about the affairs of religion, inasmuch as they might conclude that whenever they saw a desire for novelty, variety, and change, it introduced along with it a great presumption of falsity and error. As long as they gave to the Jew every other right, a free exercise of his religion, and extended to him the safeguards of the law, they would not be committing an act of persecution against the Jews. If there was one nation more than another to whom he would extend every indulgence, it was the Jewish; and when he saw that the noble Lord was returned conjointly with a Jew, his first impression was, that he should probably support the admission of the latter to a seat in the House; and it was not until he had considered the subject deeply and maturely, that he felt himself bound to adopt the course which he had just explained; it was therefore, not without a struggle against his own feelings

that he opposed the Bill. He sympathised with the Jewish people. Their history was rich in the recollections of the past, and richer still in the anticipation of the future. He felt that the time would come when they would be what they once were, the favoured people of the Lord. That event would take place without their giving them any ascendancy over them. His feelings, his sympathies, were in their favour; but the question was one of principle, and when principle was at stake, feeling should give way. He believed that Christianity was blended and interwoven with their constitution, and that they could not separate the one from the other. He could not consent to destroy, whatever his private feelings were, that distinctive character of the country which had advanced its temporal interests so proudly, and obtained for it such a moral elevation—that principle which had taught the people firmly to believe that there was only one standard of right and wrong—if they once broke that down—if they once destroyed that line of demarcation by admitting the fatal maxim of the noble Lord, "that those who bore the burdens of the State were entitled to its honours and emoluments"—it would be impossible to say where they would stop. Such a principle was untrue; they had thousands of instances that such was not the fact. They should in no manner diminish the principle on which the State had been founded—a principle associated in the minds of all reflecting men with the greatness of the country, because associated with its goodness. He besought the House to bear in mind that solemn language which they had all heard yesterday (Sunday), that "whatever ye do in word or deed, ye shall do all in the name of the Lord Jesus."

Mr. SHEIL: If the honourable, the learned, and exceedingly able Gentleman who has just sat down had been a Member of the House of Commons when the Member for Tamworth brought forward the measure of emancipation, the speech which he has this night pronounced against the Jew, would have been fully as apposite upon that great historical occasion. With all his habits of fine forensic discrimination, I do not think that he can distinguish between the objections urged against the Catholic and against the Jew. He has, for example, strenuously insisted that in the writ by which the sheriff is commanded to hold an election, a reference is made to the maintenance and the defence of the Anglican Church. That objection is nearly as strong when applied to the Unitarian, the Baptist, the Independent, and, above all, to the professors of the religion to which it is my good fortune to belong. That men subject to all the duties should be deemed unworthy of the rights of Englishmen, appears to me to be a remarkable anomaly. The enjoyment of rights ought not to be dissociated from the liabilities to duties. A British subject ought, in every regard, to be considered a British citizen; and, inasmuch as the professors of the most ancient religion in the world, which, as far as it goes, we not only admit to be true, but hold to be the foundation of our own, are bound to the performance of every duty which attaches to a British subject, to a full fruition of every right which belongs to a British citizen, they have, I think, an irrefragable title. A Jew born in England cannot transfer his allegiance from his Sovereign and his country; if he were to enter the service of a foreign Power engaged in hostilities with England, and were taken in arms, he would be accounted a traitor. Is a Jew an Englishman for no other purposes than those of condemnation? I am not aware of a single obligation to which other Englishmen are liable, from which a Jew is exempt; and if his religion confers on him no sort of immunity, it ought not to affect him with any kind of disqualification. It has been said, in the course of these discussions, that a Jew is not subject to penalties, but to privations. But what is privation but a synonyme for penalty? Privation of life, privation of liberty, privation of property, privation of country, privation of right, privation of privilege—these are degrees widely distant indeed, but still degrees in the graduated scale of persecution. The Parliamentary disability that affects the Jew, has been designated in the course of these debates by the mollified expressions to which men who impart euphemism to severity, are in the habit of resorting: but most assuredly an exclusion from the House of Commons ought in the House of Commons itself to be regarded as a most grievous detriment. With the dignity, and the greatness, and the power of this, the first assembly in the world, the hardship of exclusion is commensurate. Some of the most prominent opponents of this measure are among the last by whom a seat in Parliament ought to be held in little account. On this branch of the case —the hardship of an exclusion from this

House—I can speak as a witness as well as an advocate. I belong to that great and powerful community which was a few years ago subject to the same disqualification that affects the Jew; and I felt that disqualification to be most degrading. Of myself I will not speak, because I can speak of the most illustrious person by whom that community was adorned. I have sat under the gallery of the House of Commons, by the side of Mr. O'Connell, during a great discussion on which the destiny of Ireland was dependent. I was with him when Plunket convinced, and Brougham surprised, and Canning charmed, and Peel instructed, and Russell exalted and improved. How have I seen him repine at his exclusion from the field of high intellectual encounter in those lists in which so many competitors for glory were engaged, and into which, with an injurious tardiness, he was afterwards admitted! How have I seen him chafe the chain which bound him down, but which, with an effort of gigantic prowess, he burst at last to pieces! He was at the head of millions of an organised and indissoluble people. The Jew comes here with no other arguments than those which reason and truth supply; but reason and truth are of counsel with him; and in this assembly, which I believe to represent, not only the high intelligence, but the high-mindedness of England, reason will not long be baffled, and truth, in fulfilment of its great aphorism, will at last prevail. I will assume that the exclusion from this House is a great privation, and I proceed to consider whether it be not a great wrong. Nothing but necessity could afford its justification; and of this plea we should be taught, by a phrase which has almost grown proverbial, to beware. Cardinal Caraffa relied upon necessity when he founded that celebrated tribunal whose practices are denounced by you, but upon whose maxims have a care lest you should unconsciously proceed. The sophistications of intolerance are refuted by their inconsistencies. If a Jew can choose, wherefore should he not be chosen? If a Jew can vote for a Christian, why should not a Christian vote for a Jew? Again, the Jew is admissible to the highest municipal employments: a Jew can be high sheriff—in other words, he can empannel the jury by which the first Christian commoner in England may be tried for his life. But if necessity is to be pleaded as a justification for the exclusion of the Jew, it must be founded on some great peril which would arise from his admission. What is it you fear? What is the origin of this Hebrewphobia? Do you tremble for the Church? The Church has something perhaps to fear from eight millions of Catholics, and from three millions of Methodists, and more than a million of Scotch seceders. The Church may have something to fear from the assault of sectaries from without, and still more to fear from a sort of spurious Popery and the machinations of mitred mutiny from within; but from the Synagogue—the neutral, impartial, apathetic, and unproselytising Synagogue—the Church has nothing to apprehend. But it is said that the House will be unchristianised. The Christianity of the Parliament depends on the Christianity of the country; and the Christianity of the country is fixed in the faith, and inseparably intertwined with the affections of the people. It is as stable as England herself; and as long as Parliament shall endure, while the constitution shall stand, until the great mirror of the nation's mind shall have been shattered to pieces, the religious feelings of the country will be faithfully reflected here. This is a security far better than can be supplied by a test which presents a barrier to an honest Jew, but which a scornful sceptic can so readily and so disdainfully overleap. Reference has been made in the course of these discussions to the author of the *Decline and Fall of the Roman Empire:* a name still more illustrative might have been cited. Was not the famous St. John—was not Bolingbroke—the fatally accomplished, the admiration of the admirable—to whom genius paid an almost idolatrous homage, and by whom a sort of fascination was exercised over all those who had the misfortune to approach him—was not the unhappy sceptic, by whom far more mischief to religion and morality must have been done, than could be effected by half a hundred of the men by whom the Old Testament is exclusively received—a Member of this House? Was he stopped by the test that arrests the Jew; or did he not trample upon it, and ascend through this House to a sort of masterdom in England, and become the confidential and favourite adviser of his Sovereign? He was not only an avowed and ostentatious infidel, but he was swayed by a distempered and almost insane solicitude

for the dissemination of his disastrous disbelief. Is it not, then, preposterous that a man by whom all revealed religion is repudiated — who doubts the immortality of the soul—doubts a future state of rewards and punishments—doubts in a superintending Providence—believes in nothing, fears nothing, and hopes for nothing—without any incentive to virtue, and without any restraint upon depravity, excepting such as a sense of conventional honour, or the promptings of a natural goodness, may have given him—is it not, I say, preposterous, and almost monstrous, that such a man, for whom a crown of deadly nightshade should be woven, should be enabled by playing the imposture of a moment, and uttering a valueless formula at the table of the House, to climb to the pinnacle of power; and that you should slap the doors of this House with indignity upon a conscientious man who adheres to the faith in which he was born and bred —who believes in the great facts that constitute the foundation of Christianity — who believes in the perpetual existence of the nobler portion of our being—who believes in future retribution, and in recompense to come—who believes that the world is taken care of by its almighty and everlasting Author—who believes in the mercy of God, and practises humanity to man—who fulfils the ten great injunctions in which all morality is comprised—whose ear was never deaf to the supplications of the suffering—whose hand is as open as day to charity—and whose life presents an exemplification of the precepts of the Gospel far more faithful than that of many a man by whom, in the name of the Gospel, his dishonouring and unchristian disabilities are most wantonly, most injuriously, and most opprobriously maintained? But where in the Scripture—in what chapter, in what text, in what single phrase—will you find an authority for resorting to the infliction of temporal penalty, or of temporal privation of any kind, as a means of propagating heavenly truth? You may find an authority, indeed, in the writings of jurists, and of divines, and in the stern theology of those austere and haughty Churchmen by whom the Pharisaical succession, far better than the apostolical, is personally and demonstratively proved. But you will not find it in the New Testament—you will not find it in Matthew, nor in Mark, nor in Luke, nor in John, nor in the epistles of the meek and humble men to whom the teaching of all nations was given in charge —above all, you will not find it anything that was ever said, or anything that was ever done, or anything that was ever suffered, by the Divine Author of the Christian religion, who spoke the sermon upon the mountain—who said that the merciful should be blessed—and who, instead of ratifying the anathema which the people of Jerusalem had invoked upon themselves, prayed for forgiveness for those who knew not what they did, in consummating the sacrifice that was offered up for the transgressions of the world. It was not by persecution, but despite of it—despite of imprisonment, and exile, and spoliation, and shame, and death—despite the dungeon, the wheel, the bed of steel, and the couch of fire, that the Christian religion made its irresistible and superhuman way. And is it not repugnant to common reason, as well as to the elementary principles of Christianity itself, to hold that it is to be maintained by means diametrically the reverse of those by which it was propagated and diffused? But, alas! for our frail and fragile nature, no sooner had the professors of Christianity become the copartners of secular authority, than the severities were resorted to which their persecuted predecessors had endured. The Jew was selected as an object of special and peculiar infliction. The history of that most unhappy people is for century after century a trail of chains, and a track of blood. Men of mercy occasionally arose to interpose in their behalf. St. Bernard—the great St. Bernard, the last of the Latin Fathers, with a most pathetic eloquence, took their part. But the light that gleamed from the ancient turrets of the Abbey of Clairvaux, was transitory and evanescent. New centuries of persecution followed: the Reformation did nothing for the Jew. The infallibility of Geneva was sterner than the infallibility of Rome. But all of us—Catholics, Protestants, Calvinists—all of us who have torn the seamless garment into pieces—have sinned most fearfully in this terrible regard. It is, however, some consolation to a Roman Catholic to know that in Roman Catholic countries expiation of this guilt has commenced. In France and in Belgium all civil distinction between the Christian and the Jew is at an end: to this Protestant country a great example will not have been vainly given. There did exist in England a vast

mass of prejudice upon this question, which is, however, rapidly giving way. London, the point of imperial centralisation, has made a noble manifestation of its will. London has advisedly, deliberately, and with benevolence aforethought, selected the most prominent member of the Jewish community as its representative, and united him with the First Minister of the Crown. Is the Parliament prepared to fling back the Jew upon the people, in order that the people should fling back the Jew upon the Parliament? That will be a dismal game, in the deprecation of whose folly and whose evils the Christian and the statesman should concur. But not only are the disabilities which it is the object of this measore to repeal, at variance with genuine Christianity, but I do not hesitate to assert that they operate as impediments to the conversion of the Jews, and are productive of consequences directly the reverse of those for which they were originally designed. Those disabilities are not sufficiently onerous to be compulsory, but they are sufficiently vexatious to make conversion a synonyme with apostacy, and to affix a stigma to an interested conformity with the religion of the State. We have relieved the Jew from the ponderous mass of fetters that bound him by the neck and by the feet; but the lines which we have left, although apparently light, are strong enough to attach him to his creed, and make it a point of honour that he should not desert it. There exists in this country a most laudable anxiety for the conversion of the Jews; meetings are held, and money is largely subscribed for the purpose, but all these creditable endeavours will be ineffectual unless we make a restitution of his birthright to every Englishman who professes the Jewish religion. I know that there are those who think that there is no such thing as an English, or a French, or a Spanish Jew; a Jew is nothing but a Jew; his nationality, it is said, is engrossed by the land of recollection and of hope, and the house of Jacob must remain for ever in a state of isolation among the strange people by whom it is encompassed. In answer to these sophistries, I appeal to human nature. It is not wonderful that when the Jew was oppressed, and pillaged, and branded—in a captivity worse than Babylonian—he should have felt upon the banks of the Thames, or of the Seine, or of the Danube, as his forefathers felt by the waters of the Euphrates, and that the psalm of exile should have found an echo in his heart. This is not strange: it would have been strange if it had been otherwise; but justice—even partial justice—has already operated a salutary change. In the same measure in which we have relaxed the laws against the Jews, that patriot instinct by which we are taught to love the land of our birth, has been revived. British feeling has already taken root in the heart of the Jew, and for its perfect development nothing but perfect justice is required. To the fallacies of fanaticism, give no heed. Emancipate the Jew—from the Statute-book of England be the last remnant of intolerance erased for ever—abolish all civil discriminations between the Christian and the Jew—fill his whole heart with the consciousness of country: do this, and we dare be sworn that he will think, and feel, and fear, and hope, as you do: his sorrow and his exultation will be the same: at the tidings of English glory his heart will beat with a kindred palpitation; and whenever there shall be need, in the defence of his Sovereign and of his country, his best blood, at your bidding, will be poured out with the same heroic prodigality as your own.

MR. NEWDEGATE was most anxious to meet the wishes of the House, and should therefore, with the leave of the House, withdraw his Amendment. He had a deep impression upon the subject which was then under the consideration of the House. A Christian nation was asked to cast aside every religious consideration—every consideration of Christianity—in order to admit the Jews, who repudiated Christianity, to legislate for that Christian nation. And he must express his surprise that the right hon. Gentleman should have compared the feeling against this measure to that which was excited against the measure of 1829. He could not but express his surprise at hearing a member of a Church professing to be the most exclusively Christian desiring to cast aside every consideration connected with Christianity, in order to admit those who were the most opposed to that religion. There was but one solution of this anomaly, and that had been given by the noble Member for Arundel, in justification of his supporting the introduction of the measure before the House. The noble Lord declared that he was for breaking down all the legal enactments which had been reared for the defence of the Church, well knowing that when these were removed, infi-

delity would rush in, and for a time cover (as he expressed it) large districts of the country; but that in the end Christianity would triumph, and that, profiting by the recoil from infidelity, the Roman Church would gather the people of this country within her rigid fold. Now, these anticipations might in some degree account for the support given to this measure by the noble Lord, the right hon. Gentleman (Mr. Sheil), and other Roman Catholics; but they certainly justified the opposition to it which he and other members of the Church of England persevered in. But another circumstance deserved to be marked. Roman Catholic Members, who had last addressed the House in support of this measure, the hon. Member for Ennis on a former occasion, the right hon. Master of the Mint on the present occasion, had in succession warned the House to yield this measure, lest it be compelled to do so hereafter by external force. Was it then the sweet recollection of the Clare election that caused the right hon. Gentleman to compare this measure to that of 1829? They had seen their table heaped with petitions in favour of the Jews; but did the House know how those petitions had originated? They had lately heard strange stories with regard to the City election; and it had lately come to his knowledge that the wealth of the hon. Gentleman who had been elected had been brought to bear even upon the framing of petitions to this House. It had come to his knowledge that individuals had been employed to obtain signatures in the suburbs of this metropolis; first, at the rate of 1*s.* 6*d.* per hundred signatures, but that would not do; next, at the rate of 3*s.* per hundred, still that would not do; till at last the petitions were filled up at the rate of 5*s.* per hundred. He would not willingly believe that such things could have occurred, even among the very lowest of our population; but he thought he was bound to mention them, in order to show that this transparent semblance of the popular feeling had been obtained at the rate of 5*s.* for 100 signatures. He begged to submit this consideration to hon. Members who professed popular principles, that it was an insult to the Christianity of the great majority of the people, if they attempted to remove the Christian character of the House. The great majority of the people of this country were Christians, and the great majority had a right to establish and maintain the character of the representative assembly in accordance with their religious opinions. He had heard some vague anticipations expressed by the right hon. Gentleman who had just sat down, that he hoped by a closer contact with the Jews in this House they might be converted. It was passing strange that the right hon. Gentleman, himself a member of the most exclusive Church that the world had ever seen, should suppose that by admitting the Jews to this House any serious impression would be made upon them. What were the laws, what was the nature of the religious code, by which this people were governed? Why, they were as exclusive as the religion the right hon. Gentleman professed. These laws were embodied in the Mishna and the Talmud; the Mishna was the embodiment of the traditionary or oral law of the Jews, compiled by Rabbi Judah 200 years after the Christian era? Why, because at that time many Christians practised circumcision and other Jewish rites, so that by the law of Moses the Christian could not be distinguished from the Jews, and the Mishna was compiled to keep the Jews separate from Christians. The Talmud was written for the same purpose, when, in the days of Constantine, Christianity prevailed in the Roman empire; again the Jews adopted a code in the Talmud to keep themselves a separate people. Could it be wondered at that they wished to separate themselves, when we remember that they believe all to be promised to them exclusively by the decrees of Providence? What were the facts in the modern history of the Jews? When they first appeared in this country after their banishment by Edward I., we find them in treaty with the Rump Parliament, about two years after the murder of the king, for the purchase of the Bodleian Library, and of St. Paul's, which they proposed to convert into a synagogue. They offered 500,000*l.*; the Parliament asked 800,000*l.*, which the Jews would not or could not give; and so the negotiation was broken off. The National Assembly of France, in 1791, about two years before the execution of the King of France, considered their claims. The National Assembly granted their prayer, and allowed them the privileges of citizens on taking the oaths to the State. They received this with joy; but when Napoleon, some years afterwards, collected them together again, and allowed them to be governed by their own laws, and their own officers, they ac-

cepted this decree with exultation and delight. Who then should tell him that a feeling of nationality did not pervade the Jews—that they had forgotten that they were a separate nation? Were Members of that as yet Christian House to erase from their memories the whole history of the Jewish nation? Were they to forget that for 1,500 years the Jews were the chosen people of God, and that for 1,800 years they have been scattered over all the nations of the earth? Were they to be deaf to the decrees of Providence, that, because the Jews knew not the time of their visitation, they should be scattered throughout the nations of the earth; that, because they would not accept Christ as their true King, therefore God in his providence had decreed that they were unfit to legislate for themselves?—Were they, the representatives of a Christian people, to set at naught the truths of prophecy—were they to be blind to the fulfilment of the decrees of Providence—were they to pass by unnoticed those great manifestations of divine justice—were they in their weakness to call upon a people to legislate for them whom God had pronounced to be unfit to legislate for themselves—and, in defiance of every conviction which such considerations must produce in their minds, were they to adopt the doubtful system of a double conscience, holding that religion was to guide a man in his home, in his household, in his private actions, but that when he approached this House he should prepare himself to enter and act with an assembly which had cast off Christianity as its characteristic, and whose acts were supposed to coincide with that repudiation? Was this abandonment of principle in accordance with their general policy? From day to day they heard Members of the House extolling the principle of free imports: to that they yielded up their colonies, and now they were called upon to yield up Christianity as the principle which should avowedly guide the decisions of the Legislature; and in favour of what principle were they so to yield up the guidance of religion? What was the principle which required such sacrifices? Why, it was no principle at all, but merely a system which was called progress. He wished to ask Her Majesty's Government, who talked so much of progress, whither they were going? To what bourn they were tending? One, however, after another of principles and institutions which were formerly deemed essential to the State, was struck down, and he wished to know where they were to end? To that question he had never heard an answer given. In answer to those who charged him with intolerance, he wished to show that the bounds of the constitution, as included in the term Christian, were not narrow. According to Hooker, the Church and the State were one; and, according to the principles which were now acted upon, all who were baptised were members of the visible Church; and according to the constitution as it stood, with the small exception of some few Jews and other infidels, the limits of the State were identical with those of the Church. Let them look to what constituted the visible Church. In the elaborate works of Hooker it was stated that—

"As for those virtues that belong to moral righteousness and honesty of life, we do not mention them because they are not proper unto Christian men as they are Christian, but do concern them as they are men. True it is, the want of these virtues excludeth from salvation. So doth much more the absence of inward belief of heart; so doth despair and lack of hope; so emptiness of Christian love and charity. But we speak now of the visible Church, whose children are signed with the mark 'one Lord, one faith, one baptism.' In whomsoever these things are, the Church doth acknowledge them for her children—them only she holdeth for aliens and strangers in whom these things are not found. For want of these it is that Saracens, Jews, and infidels, are excluded out of the bounds of the Church. Others we may not deny to be of the visible Church as long as these things are not wanting in them. For apparent it is, all men are of necessity either Christians or not Christians. If by external profession they be Christians, then they are of the visible Church of Christ; and Christians by external profession they are all whose mark of recognisance hath in it those things which we have mentioned. Yea, although they be impious idolators, wicked heretics, persons excommunicable—yea, and cast out for notorious improbity. Such we deny not to be imps and limbs of Satan, even as long as they continue such. Is it possible, then, that the self-same men should belong both to the synagogue of Satan and to the Church of Jesus Christ?—unto that Church which is his mystical body? Not possible; because that body consisteth of none but only true Israelites—true sons of Abraham—true servants and saints of God. Howbeit, of the visible body and Church of Jesus Christ those may be, and oftentimes are, in respect of the main parts of their outward profession, who, in regard of their inward disposition of mind—yea, of external conversation—yea, even of some part of their very profession, are most worthily hateful in the sight of God himself, and in the eyes of the sounder part of the visible Church most execrable."

He said, then, that unless there were to be no limits at all—unless they were to receive avowed infidels, he could not

conceive a wider or more liberal definition than was now allowed to constitute a title of admission to this House. Such were the soundest opinions of the soundest divine as to the bounds of the visible Church. If he understood the constitution, it was this—that the State had only the right to inquire who was, or who was not, of the visible Church, and that as in ecclesiastical matters the power of the State was limited to questions of outer discipline and appointment, so the religious qualifications of the State were confined to what he had shown to be the limitation of the visible Church, or as it was termed, the "*forum exterius;*" and, that, far from being in danger of following the Inquisition, as the right hon. Master of the Mint would have them apprehend, in its interference with matters of conscience and inward belief, the "*forum interius,*" as it was termed, into questions which admittedly were not its province, the constitution limited itself to the wise acceptation of Christian profession. It was a dangerous and unfounded novelty this crying out that the constitution was founded on bigotry and intolerance, and he warned the House against yielding to it the best interests of the State and of Religion.

Debate adjourned.

House adjourned at half-past Twelve o'clock.

HOUSE OF LORDS,

Tuesday, February 8, 1848.

MINUTES.] *Took the Oaths.*—Several Lords.

PETITIONS PRESENTED. By the Bishop of Oxford, from Clergy and Laity of the City of Chichester, and various other places, against the Admission of Jews into Parliament.—From Inhabitants of Hitchin, complaining of the present Burden of Taxation, and against any Additional Expenses being Incurred by Increasing the Military Defences of the Country.—From Clerks, Masters, Matrons, and others connected with the Administration of the Poor Law, for a Superannuation Fund for all Meritorious Officers.—By Lord Stanley, from Inhabitants of the Parish of Vere, in the Island of Jamaica, complaining of the Sugar Duties Act, and praying for Relief.—By Lord Ashburton, from the Independent Order of Odd Fellows, Manchester Unity, of Southampton and Devizes, that the Provisions of the Benefit Societies Act may be Extended to them.—From Inhabitants of Worcester, and Ratepayers and others of the Parish of Ware, for the Enactment of Sanitary Measures.

NATIONAL DEFENCES.

LORD COLCHESTER, pursuant to notice, rose to move for returns relating to the steam vessels belonging to the various parties who have entered into contracts for the conveyance of mails, in order to show their capacity for carrying guns and being employed as vessels of war. His object in moving for these returns was to obtain information, showing how far these vessels could be made available for the public service in case of war. The United States could at any moment obtain the services of vessels of this kind in case of war, and he wished to know whether we were in the same position. It was stipulated that these vessels should be built of sufficient strength to carry guns. There were sixty-three of them of 100-horse power and upwards, and he wished to know whether they could be made available? He understood that there would be no objection to these returns; but he wished to have them laid before the House, as, from information which he had received, he believed that some of these vessels were not in a fit state for war if their services should be required.

The EARL of AUCKLAND said, that there could be no possible objection to the production of these returns. He could assure the noble Lord that the Admiralty had not been negligent in this respect; for a report on these vessels had been made to the Board of Admiralty at the end of the year 1846. He believed that these contract vessels would be ready to be placed at the disposal of the Government in the event of a war.

The EARL of ELLENBOROUGH said, he wished to know whether the stipulations which had been made with these steam-packet companies had been carried out? It should be remembered that, in consequence of those stipulations, the Government and the East India Company paid 500,000*l.* a year to these companies, for the purpose of rendering the carriage of letters and passengers cheaper.

Returns ordered.

RELATIONS WITH ROME.

The EARL of EGLINTOUN said, that he must thank the noble Marquess for his courtesy in acceding to the request made last night by his noble Friend near him (Lord Stanley) and by himself; but though the noble Marquess had consented to delay the second reading, yet he (the Earl of Eglintoun) could not allow the Bill to go to the country without stating what he believed was the opinion of those who were anxious for the integrity of the Protestant religion, in reference to this Bill. It was only within the last few minutes that he had been able to see the Bill; and he must

say that, as regarded its general principles, he saw no objection to it. He agreed with his noble Friend (Lord Stanley) who said a few words last night on the subject, that it was not only right, but advisable and proper that diplomatic relations should be established between the Court of Rome and this country. Not only did he feel this because he thought it was always advisable that the interests of this country should be represented in a foreign country by an authorised agent of the Crown, but because he thought the fact of our having an authorised Ambassador from the Court of Rome in this country would be an acknowledgment of the supremacy of the Queen in Her own dominions—an acknowledgment which never yet had been made by the Court of Rome. He saw no clause in this Bill, he should remark, which prevented the Pope from sending to this country an ecclesiastic as an Ambassador. Whilst he admitted it would be proper and expedient and advisable for us to have diplomatic relations with the Court of Rome; yet he did conceive that it would be a gross dereliction of our Protestant feelings if we allowed an ecclesiastic to come to this country in the capacity of an Ambassador from the Court of Rome. The embassy in London might be made a nucleus for Jesuits. When the proper time arrived, he now gave notice, he should move the insertion of a clause, prohibiting the reception of any ecclesiastic in the capacity of Ambassador from the Court of Rome.

The Marquess of LANSDOWNE said, that he would not complain of the statement which had just been made by the noble Earl. He did not mean to enter into any argument, or to offer any explanation of the provisions of this Bill at the present moment; but he could not listen to what the noble Earl had stated without assuring him that he should not ask their Lordships to assent to this Bill unless he was convinced that he should be able to prove to their satisfaction that it was one not only not likely to injure the Protestant religion, but that when it would come into operation it would be attended with benefit to and calculated to strengthen the Protestant religion.

The Bishop of EXETER said, that in a measure so entirely new as this, it would have been better if all their Lordships had reserved to themselves the right of deciding when the discussion was regularly before the House whether they would favour this measure or not. He, therefore, lamented that the noble Earl, for whom he entertained the highest respect, should have committed himself by the expression of an opinion in the way he had to-night. He was glad to hear from the noble Marquess that the Bill would be fraught with no injury to the Protestant religion, but that, on the contrary, it would tend to strengthen it. He heard that declaration with gratitude and pleasure.

House adjourned.

HOUSE OF COMMONS,

Tuesday, February 8, 1848.

Minutes.] Petitions Presented. By Mr. V. Smith, from Northampton, for the Abolition of the Privilege now granted to Members of Parliament of Freedom from Arrest.—By Mr. Horsman, from several places, for Amendment of the Church Endowment Act.—By several hon. Members, from a great number of places, for and against the Jewish Disabilities Bill.—By Mr. Christopher, from Lincoln, for Better Observance of the Lord's Day.—By Mr. Fagan, from Cork, for the Abolition of Ministers' Money (Ireland).—By Lord Ashley, and other hon. Members, from several places, complaining of the Conduct of the Roman Catholic Clergy (Ireland), and against the Roman Catholic Relief Bill.—By Mr. Bouverie, from North Berwick, for Alteration of the Law respecting Sites for Churches (Scotland).—By Mr. George Thompson, from Camberwell, for Inquiry respecting the Rajah of Sattara.—By Lord G. Bentinck, from Persons interested in the Cultivation of Sugar, for Consideration of the West India Colonies.—By Mr. Buck, from Devon, Sir A. Hood, from Somerset, and Mr. Sheridan, from Aylesbury, for Repeal of the Duty on Attorneys' Certificates.—By Mr. Cowan, and Mr. M'Gregor, from Edinburgh, for Inquiry respecting the Excise Laws.—By Mr. G. Thompson, from W. Cole, Journeyman Carpenter, of Bromley, Middlesex, for Alteration of Property Tax.—By Mr. H. Currie, from Guildford, for Reduction of Duty on Tea; and from Northampton, for Repeal of Window Duty.—By Mr. Duncan, from Forfar, for Repeal or Alteration of the Bank of England Charter Act, and Banking (Scotland) Act.—By Lord E. Bruce, and Sir P. Egerton, from several Odd Fellows' Societies, for Extension of the Benefit Societies Act.—By Mr. C. Cavendish, from Buckingham, for Repeal of the Game Laws.—By Lord John Russell, from Kilrush Board of Guardians, for Alteration of Law of Landlord and Tenant (Ireland).—From Northampton, for Amendment of the Municipal Corporations Act.—By Mr. Simeon, from the Isle of Wight, and Mr. G. Thompson, from Greenwich, for Retrenchment of the Naval and Military Expenditure.—By Mr. Buck, from Bideford, against Repeal of the Navigation Laws.—By Mr. V. Smith, from Trustees of the General Municipal Charities of Northampton, for Alteration of the Law affecting those Institutions.—By several hon. Members, from Poor Law Officers of various places, for a Superannuation Fund.—By Mr. Brand, from Hitchin, for Abolition of the Punishment of Death.

SALE OF SPIRITS IN CANTEENS.

Colonel LINDSAY asked the Secretary at War if it was in contemplation to restrict the sale of spirits in barrack canteens, and to propose any alteration in the existing system of letting them; or any plan which may be calculated to place those establishments on a footing more beneficial to the service?

Mr. F. MAULE said, that since the discussion of last year the subject had been carefully considered, and although the Government could not adopt the plan of the gallant Officer of doing away altogether with canteens in barracks, yet they had determined that on the expiration of the present licenses for the sale of spirits in canteens, no spirituous liquors should afterwards be sold in canteens in barracks.

IRISH REGISTRATION BILL.

Mr. W. S. O'BRIEN inquired whether the Government intended at an early period to bring forward the long promised Registration Bill for Ireland?

Sir W. SOMERVILLE said, that it was the intention of the Government to introduce a Bill on the subject.

PRIVILEGES OF QUEEN'S COUNSEL—BURON v. DENMAN.

Mr. URQUHART begged to inquire of the Attorney General what decision had been come to relative to the employment of Queen's Counsel?

The ATTORNEY GENERAL believed the hon. Member alluded to the petition which had been presented in the case of "Buron *v.* Denman," and he was glad the hon. Member had given him an opportunity of correcting a misapprehension which existed somewhat to the prejudice of his hon. and learned Friend (Sir F. Kelly), and did some injustice to himself. The action was commenced long before the period at which he (the Attorney General) had the honour of holding his present office; and on the 5th June, 1844, Sir F. Kelly argued a demurrer on behalf of the present plaintiff. No step was taken from that period until November, 1846, when a motion was made in the Court of Exchequer by Mr. Matthew D. Hill, Sir F. Kelly's senior. When the case was about to be tried a short time back, he was informed by the counsel for the Admiralty that Sir F. Kelly was in the case, and that directions had been given that a brief should be handed to him; and upon an application being made to him, he advised the Admiralty not to release Sir F. Kelly from the advocacy of the case on the part of the Crown. That course had led to the presentation of a petition, and certain remarks in the newspapers, on seeing which he had felt it to be his duty to write to Sir F. Kelly on the subject:—

"From what I know of the circumstances, I believe that you are free from blame in this matter; but I shall be glad to receive any communication you may have to make upon this subject, and have only to add, that I am willing, upon the part of the Crown, to release you from your engagement to the Crown, should you think that under the circumstances you ought to hold a brief for the plaintiff, or to decline to act for either party."

Sir F. Kelly replied as follows:—

"Temple, Jan. 21, 1848.

"My dear Attorney General—I am favoured with your letter on the subject of the actions by Buron and others against Captain Denman.

"The power of the Crown to require the services of the Queen's counsel at all times is not disputed; and as in this country every Queen's counsel is known to be under an oath to plead for the Crown at its pleasure, I conceive that he accepts every retainer from a subject under as plainly implied a reservation that he may be withdrawn by the Crown, as that he may be incapacitated by sickness or death. This power may indeed be exercised so as to do injustice to individual suitors; and the question now is, whether it has been so exercised in this particular case.

"In the first place, I must exonerate you from any responsibility. Mr. Hay's petition seems to imply that I had acted as counsel for the plaintiffs except during a short interval, until the month of May last, and that you then required my services. The fact is, that I have not so acted in any way since the month of June, 1845; and that in the following month of July (1845), having been appointed Soliciter General, I was almost immediately called upon to advise and assist the Ministers of the Crown upon certain measures (which became law under the Act of 8th and 9th of Victoria, cap. 92) involving the consideration of the whole system of the slave trade on the coast of Africa, of the conduct of our naval commanders there, and of our relations with the Court of Brazil. It was obvious that I could not, after communications of this nature, and upon these subjects, with the Ministers of the Crown, assist the plaintiffs in these causes as their leading counsel, after the defence was taken up by the Government. It was, probably, this consideration that induced the then Attorney General to require my services, and at least restrain me from appearing against the Crown upon the trial. You, as Attorney General, when the causes seemed about to be tried a few months ago, merely abstained from interfering with the decision of your predecessor. And as far as regards the mere loss of my assistance, there could be no hardship or injustice, for the whole bar was open to the plaintiffs for the selection of a leading counsel to supply my place.

"But it is urged that after having been consulted and trusted with the case by the plaintiffs, I at least ought not to appear as counsel against them; and certainly if I possessed a knowledge of any facts imparted to me by the plaintiffs, which I might in a moment of inadvertence disclose, or the consciousness of which could in any way affect my conduct in the cause, I should feel it my duty to request your authority, not indeed to act as counsel for the plaintiffs, for my communications with the Crown while I was Solicitor General render that impossible, but to retire from the case altogether. And as you allude to imputations in the newspapers, or elsewhere, of undue motives, I

must be permitted to observe that if any counsel, circumstanced as I am, could be influenced by personal considerations at all, he would do his best to obtain the license of the Crown to act as counsel for the plaintiffs. If actuated by the love of fame, he would seek to be the leading counsel for the subject (generally the popular party) rather than third or fourth counsel for the Crown. If by the love of money, his interest would equally point the same way; for, as you and I well know, the fees paid by the Crown are always on a far lower scale than those of individual suitors. In almost the last case in which I was opposed to the Crown, my fees were more than nine times the amount of the then Solicitor General's; and in these very cases, they would have been four or five times the amount of even your's as leading counsel for the Crown.

"But whatever may be my own inclinations, or my interest, I have no grounds upon which I can claim indulgence, for having only held some consultations upon the pleadings many years ago, and argued a demurrer, I think early in 1845, I have not the slightest recollection of a single fact communicated to me on the part of the plaintiffs upon which I can found a claim to be excused from appearing as counsel for the Crown.

"Whether from the plaintiffs being foreigners, and the importance of all that belongs to our legal institutions being placed beyond suspicion among foreign nations, you may think it right to release me from appearing upon the trial for the Crown, is a question entirely for your own consideration, upon which I do not offer an opinion.—I remain, my dear Attorney General, very truly yours,

"Fitzroy Kelly."

On receipt of the letter he had signified the intention of the Crown to the Admiralty, and a communication had been made to the noble Lord at the head of that Board, that the Crown would not insist on the services of Sir F. Kelly in the case of "Buron *v.* Denman."

JAMAICA.

Mr. GOULBURN wished to know why Jamaica had been omitted in the statement of the affairs of the several West Indian colonies laid before the House; and also if there would be any objection on the part of Government to lay the last intelligence from Jamaica on the table.

Mr. LABOUCHERE said, that as the right hon. Gentleman had had the kindness to give him notice of his intention to ask the question, he had applied to the Colonial Office on the subject, and was enabled to state that the reason that no blue book had been laid on the table respecting Jamaica was, that it had not been received. Owing to the ample information which had been forwarded by Lord Elgin, Earl Grey had stated he could add nothing to the sources of intelligence already opened by the noble Lord. With respect to the latter part of the right hon. Gentleman's question, he had to say that no despatch had been received giving any general account of the state of Jamaica; but that as soon as such a document should be received, it was the intention of the Secretary of State for the Colonies to communicate it without delay to the House.

THE NEW HOUSES OF PARLIAMENT.

Mr. OSBORNE said, he understood the estimate for the New Houses of Parliament was 1,400,000*l.*, and he wished to ask the noble Lord the First Commissioner of Woods and Forests whether he had any objection to lay upon the table of the House a detailed account of the estimate, and also whether the Woods and Forests considered they were responsible for the amount?

Viscount MORPETH replied, he had been assured by the architect that not more than 1,400,000*l.* would be required. He hoped the architect would be able to bear out his assurance.

Mr. OSBORNE thought that after the answer given by the noble Lord, considering that they had a deficient and sinking revenue, he was entitled to put a question to the First Lord of the Treasury. He begged to ask if the noble Lord was prepared to check this enormous expenditure, and if he would give that House an assurance that no more than 1,400,000*l.*, as specified in the estimate, should be spent upon the building?

Lord JOHN RUSSELL replied, that he was not able to say more than had been said by his noble Friend. He hoped the estimate would be adhered to; but as to being responsible for any architect, it was quite out of the question.

FOREIGN POLICY.

Mr. HUME: Sir, I have to ask the hon. and learned Member for Youghal, whether he intends to bring on his Motion, consisting of forty articles, every one of which would occupy an ordinary night's debate. I merely speak with a view to his having his whole statement to lay before the House. He must allow me to say—and I do it with all deference I am sure, now that the House is all together, and the public are so anxious upon the question—I am quite confident that I may appeal with perfect safety to the Mover and Seconder of the Amendment of last night, that they are as anxious for the debate to proceed without interruption as those on this side of the House. Under these circumstances, I trust the hon. and learned Member for Youghal will postpone his Mo-

tion. I have had as much experience of Motions in my time as any man, and I have learnt by experience that it is unwise to press such a Motion, except at the proper time; and I will advise the hon. and learned Gentleman really to allow the debate on this question to proceed. I will promise him a much better hearing at a future period than he can expect if he forces it upon the House on this occasion. I beg the hon. and learned Member to understand that I do not wish to prevent his bringing forward the Motion, or stating what he pleases, for I am most anxious to encourage every thing of the kind; but it is right that we should not be interrupted in the string of argument which has been commenced, which we ought to elucidate as much as possible, with a view of clearing with the public out of doors, as well as in doors, these things. I can only say, that it will be a great favour to myself if this debate proceed. I may appeal to every Member of the House that they will be most anxious also.

Mr. STAFFORD: Before the hon. and learned Member rises to answer the appeal which has been put to him, I, as the Mover of the Amendment which was under discussion in the House last night, can say, that I believe it to be the universal wish on this side of the House that the debate should close this evening. I therefore ask him, whether it will be desirable for him to proceed with the Motion, against, I may say, the whole sense of the House?

Mr. ANSTEY: Mr. Speaker, before I proceed to answer the appeal which has been made to me by the hon. Member for Montrose, I beg to assure the hon. Member who has just sat down, that if it were possible for me to postpone the Motion in which I have an interest in favour of his Motion, I should be most happy to render to that hon. Member that poor service. But as to the other hon. Member (Mr. Hume), I do put it to this House that the appeal which has been made to me is not fair—that I am unfairly dealt with, when the appeal which has been addressed to me by that hon. Gentleman in private, is repeated thus with all the assistance and support that the presence of a number of impatient Members—I mean impatient for the termination of this debate, and unwilling perhaps to permit the opening of the Motion in which I am interested—can give it. To that hon. Gentleman, in private, I made this answer, and I now again make it in presence of this House—that assuming for a moment that this were *res integra*, and that I was now for the first time called upon to say whether I would press upon this House or not the Motion of which I have given notice—assuming that I had not repeatedly postponed it: in the first instance, because I found that it was in the power of Government to shut me out, inasmuch as I had not complied with the forms of the House, and had given notice for a Monday, on which day debates take precedence of notices of Motion; and on another occasion, in order that a Bill, said to be for the preservation of life, might not be obstructed in its passage through the House—a Bill to which I was hostile, and in refusing to give way in favour of which, therefore, I was making myself liable to the charge of having obstructed it; assuming, again, that the day which was given me for the purpose of bringing on my Motion had not been lost by the noble Lord at the head of Her Majesty's Government moving and carrying the adjournment of the House, and thereby postponed it to the day for which I had given this notice—taking all these assumptions to be true, even then I do put it to the House whether the statement which I made just now to the hon. Member, and which I am now going to repeat, is not a satisfactory answer. I told that hon. Gentleman, I tell him now, and I repeat it in presence of the House, that last night a number of hon. Members on both sides of the House, intending to take a part in the Jewish Bill, and not intending to be present on the occasion of my Motion, came to me and asked me in a pressing manner, one after another, whether it was my intention to persevere, or whether, if the House showed its reluctance to hear me, I would give way unappealed to; and, in some of these instances, it was put to me as a man of honour, whether or no it was my intention to give way or to persevere; and I answered those hon. Gentlemen, one and all, upon my word of honour, that, let the consequences be what they might, however much my position in the House might be affected by my determination, to proceed; for I was in this position—that I could not go back, and that I must persevere; and upon the faith of that assurance, several hon. Gentlemen, as I told the hon. Member for Montrose, have left the House. After this I shall best consult my views of propriety when I tell the hon. Gentleman firmly and respectfully that it is not my intention to go back from my assurance;

that I find it impossible for me to accede to his application; and, however reluctantly, I must proceed with this Motion.

Lord JOHN RUSSELL: The hon. Member will understand that if he proceeds it is against the wish of the House. It is for the public convenience that I ask him to put it off; it is to allow a debate to continue that has already begun. I have no objection to the hon. Gentleman's Motion. It is a general rule to allow debates to proceed in preference to other matters; and it is right to call the hon. Member's attention to that rule, as he is probably less acquainted with our usages than Members are who have had more experience.

Mr. ANSTEY: I am perfectly aware that the course I am taking is not the general one; but I think, Sir, that I shall show the noble Lord (Lord J. Russell), before I sit down, that I have very good reason for making this an exception to the rule that he has propounded. It would be impossible for me to pursue any course but that on which I am going to insist, without displeasing, in the most eminent degree, the noble Lord himself. When I inform the noble Lord, which I do at this early period, that I am about to ask for more than papers—that the object of my Motion is preliminary to another of a much graver kind, affecting the position of some Colleagues of that noble Lord, and perhaps of that noble Lord himself; I trust that I do not mistake the character of the noble Lord the Member for the city of London, when I express my conviction that he will be the first to urge me to proceed with it.

Sir, I do not undervalue the importance of the Bill now before the House. I will not attempt to deny that it is what it has been described to be this evening—a national measure. But before I sit down, I shall satisfy, I trust, some hon. Members in this House that the object which I propose to further by the Motion of which I have given notice is far more important; and that the national interests to which my Motion relates are of far greater consequence than those which the noble Lord's Bill professes to regulate. And if the noble Lord still founds himself on the supposed unimportance of the objects which I have in view, I will answer the noble Lord in the words of his own Colleague (the Lord Lieutenant of Ireland). I will read to the noble Lord the opinion of Lord Clarendon, then Lord Privy Seal, when he was called upon by the Marquess of Londonderry in the House of Lords to defend the policy of his embassy at the Court of Madrid. I quote from his speech of the 23rd July, 1839. These are his words:—

"I think that any Member of Parliament who promotes discussion upon foreign affairs does a great public good. For it is astonishing, and at the same time lamentable, how great an apathy exists in England with regard to our relations with foreign countries, and how much indifference there is as to whether our interests in every part of the world are properly protected—whether the reciprocal obligations of treaties are properly observed—whether every thing that is good in the laws, institutions, and practices of a foreign country is carefully collected and sent home—and, above all, whether every opportunity is turned to account for extending our commercial relations. For these, my Lords, I apprehend, in the present times, are the real duties of diplomacy. It is always, therefore, with satisfaction that I see any subject connected with our foreign relations discussed in Parliament, in order that the country may have an opportunity of learning its true position with respect to other nations."

Having now, in the words of Lord Clarendon, replied to his noble Colleague, I shall leave the matter there without attempting to weaken the effect of that reply by any words of mine. But, Sir, let me remove a misapprehension of the hon. Member for Montrose. Let me inform that hon. Gentleman that the difficulty which he apprehends is imaginary—let me assure him that, although I am led into some matters of detail, and that, although my notice of Motion ranges over some forty subjects, those which I have to propose to the House to-night are two only—the danger of foreign aggression from abroad: the danger of treason at home.

Sir, these are the subjects which I have to bring under the notice of this House. It is no question of faction—it is no fleeting, ephemeral matter of the day—it is no mere abstraction pressing for no immediate settlement—it is a most practical and most important question. It most deeply and painfully affects, as long as it remains unsettled, the character of this country, represented by the present servants of the Crown, in the eyes of foreign nations and of our own subjects; and I could not have conceived, until I heard it this night, that any of those servants could for a moment dare to seek to have a question of that magnitude postponed in favour of any other question whatsoever.

Sir, it is an appeal to the great inquest of the nation to inquire into charges of crime. It is an appeal to the high Council of State to advise Her Majesty on matters of great national import. Not a

word shall fall from my lips this night which is unworthy of the subject; or unfit to be uttered in the hearing of such a Council and such a Court.

Sir, the impression has gone abroad that the question which I have to bring before the House is one of a personal character. Sir, I will deal with that question more in detail by and by. At present I content myself with an emphatic denial. I speak in the presence of that noble Lord against whom my charges point. I will venture to say, in the presence of that noble Lord, without the fear of contradiction, that personal questions between us have never passed; and that, probably, before these accusations were preferred, he never heard the name of the humble individual who stands before him. For my part, at least, I can say, that until I became a Member of this House, so far from having had communication to the injury of the noble Lord, I had never set eyes on his person. As far as I am concerned, therefore, the question of personality has no basis; and I take this opportunity to say, that I am not the instrument or agent of the passion or vindictiveness of any other individual, whether a Member of this House or a stranger to it. Sir, the question is too large for personalities. I have not consulted mine own ease or pleasure in bringing it before the House. It is a very painful and responsible duty that I have to perform. I have to present to the notice of the House a betrayed and enfeebled nation—a Crown degraded and oppressed—the resources of a great country diverted from her defence, and converted to her ruin—her treasures lavished—her blood spilt like water in the destruction of all that is dear to her—her honours faded—her influence blighted—her name abhorred among nations—her public conduct the scorn and laughing-stock of all the world; and all this by the act of one man, at the absolute and arbitrary discretion of whom every one of us is at this moment placed, because he acts without the authority of law, and without fear for his person.

Sir, this in brief is the substance of the charge which I shall this night prefer in due form in my place against the noble Lord the Member for Tiverton.

Sir, the nature of the danger from abroad to which I shall direct the attention of the House is simply this. I shall establish upon the clearest evidence, and to the satisfaction of the House, that the designs of our great and natural enemy the Czar of Russia, which, owing to a variety of causes, had greatly prospered during the last century which preceded the advent of the noble Lord to the head of his office, have been during the period which has since elapsed — the period to which my notice of Motion relates—from the year 1830 down to the present time, forwarded with astonishing rapidity and success; that the present position of Russia in relation to England and the world, is immeasurably better, and prouder, and more prosperous than at any former period; and that the contrast between what she was at the death of the Empress Catherine, and what she was at the day when the noble Lord the Secretary of State for Foreign Affairs stepped into office, is incomparably less startling than that picture which I might present, were I to compare her present proud position with that in which the noble Lord found her. It has been through his policy that the long cherished designs of Russia against the peace of the world, and the greatness of England, and set forth in the plainest terms in her own State papers, are now on the point of being realised. Let me add, that it depends greatly upon the decision which this House may take in reference—I will not say to my Motion, but in reference to the question to which my Motion relates—it depends greatly, I say, upon that decision now, whether we are to live to see the entire destruction of our greatness—whether we are to behold her establishing her dominion at Constantinople, and ruling at once over the West and the East—whether we are to behold the destruction, not only of our Indian empire, and of our colonial dominion, but of the realm itself.

Sir, let the House for one moment cast back its regards to the immense strides which that ambitious Power has made during the period which has elapsed since 1772. Sir, in the interval that gigantic Power, the enemy of the peace of the world, has gained in Poland a territory as large as that of Austria; in Turkey in Europe, a territory as large as Prussia without the Rhenish provinces; in Turkey in Asia, a territory as large as that of the whole of Germany, including the Rhenish provinces and Belgium; in Sweden, a larger territory, larger than is now possessed by that Crown; in Persia, a territory as large as England; in Tartary, a territory as large as all Italy, Greece, and Spain, put

together; and that, in fine, the extent of territory at present belonging to Russia, is double that which it was in the year 1772. In the same interval she has advanced her frontier 1,000 miles towards Calcutta; 1,000 miles towards Teheran; 850 miles towards the capitals of Europe; and 300 miles towards Stockholm. She is at this moment in sight of that city fortifying her frontier, and by the labour of Polish convicts raising those batteries and fortresses on the Isle of Aland, from which at no distant day she will sally forth to complete the destruction of that ancient kingdom.

Sir, how has she done this? It is good to look back upon history, the history of the past, that it may guide us in the understanding of the present. I put my hand upon the political testament of the Czar Peter. I read there that, in the judgment of the Czar, "no means should be neglected for obtaining, in furtherance of this end, the assistance of all the courts, and especially of the literary and scientific men of Europe, whether on considerations of interest, through the philanthropic principles of modern philosophy, or by any other means which might be considered more efficacious." Religion, he says, is a useful means to the same end; and that it will be well "to mix ourselves up at any price, and by every possible means, force, or stratagem, in all the complications of Europe; to extend ourselves by every possible means in the north towards the Baltic, and in the south towards Persia, the Black Sea, and Constantinople —to maintain the jealousy of England against Sweden and Denmark, in order to subjugate the one by means of the other — to flatter and caress Austria for the purpose of engaging her to drive the Turks out of Europe, and under pretext of assisting her to advance by the Black Sea to Constantinople—to flatter Austria unceasingly, and to realize against her by stealth enemies who shall gradually deprive her of her strength — and intimately convinced of this truth, that the commerce of India assures by its riches the empire of the world, to make unceasing war with Persia for the purpose of penetrating to the Persian Gulph, the centre of this commerce so much coveted." And well and faithfully have those counsels been obeyed. From the time of the infamous Marquess of Carmarthen, Secretary of State to William III.—and whom, during his visit to his court, the Czar Peter found means to corrupt to his interest with the gold of British merchants — Russia has never been without an agent to represent her in some of the Cabinets of Europe. And, lest there should be any in this House who find it impossible to believe that a British statesman can commit the crime of Richelieu and of La Ferronays, Ministers of the Restoration, and of Molé, Minister of Louis Philippe, I would again invite their serious attention to the history of the last century. I would earnestly entreat them out of their experience of the past to make their guide for the present. They will find that the Government of St. Petersburg has never faded.

Sir, we are familiar with the history of the last century. We know what have been the means that have been employed by this Power, which it suits some persons at this day to stigmatise, and some to praise, as a great Conservative Power. The history of the last century furnishes us with evidence that the diversity of the means at the disposal of this Power is only to be equalled by her readiness to make use of them. Insomuch that you have found her in one country pretending to support with the utmost zeal the doctrines of absolutism; in another those of constitutional governments; in another those of aristocracy; and in another those of the wildest democracy. You have her giving her hand to the insurgents in the United Colonies of North America, and assisting them to independence—you have her afterwards, when their independence is achieved, siding, not with the aristocratic or federalist school, but with Jefferson, and the wild Democrats and Jacobins of that transatlantic commonwealth — the incendiary— for the Parliamentary annals of the times, and the despatches of our Ambassador, Lord Malmesbury, establish that charge —the incendiary which set on fire the metropolis of England, and the fanaticism of its populace, in the days of Lord George Gordon—you have her interfering to disturb the affairs of Spain at the end of the last and in the present century, in which country she had no personal interest — you have her again interfering in Poland in the way recommended and advised by the Czar—interfering there in the interests of "humanity and civilisation and religious liberty," until Poland ceased to be —you have her in this present century detected in attempting in like manner to deprive this Crown of the comparatively small dominions which still remain to it on

the North American continent—you have her, in fine, establishing—to use the words of a diplomatist of the present day—the immense difference between herself and other Powers, in this, that while they have each their principles to maintain, she has no principles to maintain, but ends to accomplish. Sir, after this it cannot surprise the House to find her supported at one and the same time, represented by agents, in the Cabinet of the Tuileries, and in the Cabinet of St. James's. Sir, the whole mystery of the connexion — of the disgraceful and treasonable connexion—is not for me to trace, neither have I now the means satisfactorily to trace it. I am content to establish the fact; and if I do so it will be impossible for the House to pause —it will be impossible for it not to go further, or to give this question the go-by. For at least I will endeavour not to deserve the censure which the right hon. Baronet the Member for Tamworth gave, and, in my judgment, very properly gave to a former accusation, when some of the questions which I have to raise to-night were referred to in this House. It shall not be to me that the words which I am going to quote shall be applied by the right hon. Gentleman, or by any other Member of this House. No man shall say that I "do not accuse any person of dishonest or corrupt motives, or that I confine myself to a mere question of public policy of a doubtful nature." I quote from the right hon. Baronet's memorable speech on the 1st of March, 1843, which I shall by and by more minutely refer to. On the contrary, Sir, I shall trace the noble Lord step by step through his policy, at first dark and tortuous, but latterly, as his positions became established by long impunity and success, more confident and clear. I shall trace him step by step; I shall enumerate the material points of his policy; and I shall establish in every case a violation by the noble Lord of the laws of this country, of the law of nations, of the law of nature, and of the law of God; I shall ask the judgment of the House upon each crime taken separately, and upon the aggregate taken collectively; and I shall do this in a clear and unmistakeable manner, in my place, and upon my responsibility, as a Member of this House, and with the knowledge that if I fail to prosecute the noble Lord to conviction, there is no censure and chastisement which this House has legal power to impose which I shall not most justly deserve.

Sir, the matter, however, does not rest here. It will not be a charge like that which was incurred by Mr. Fox and his Colleagues, when, in a moment of the wild fanaticism of party, they defeated the just and wise policy of Mr. Pitt, and did an act which it is impossible to characterise in the language of the law and of morality otherwise than as an act of treason. Such a charge might have been brought against Mr. Fox and his Colleagues for their traitorous message to Saint Petersburg, and the frustration of the expedition for the relief of Oczakow, because that was a crime unquestionably for which they deserved, though they did not find, the punishment imposed by the law upon correspondence with a foreign enemy to the detriment and prejudice of the State.

But, Sir, there is this remarkable difference between the criminality of these persons and the criminality of the noble Lord—that the crime of Mr. Fox and his party was a single and isolated fact—it was an inconsistency in the general policy of those statesmen. It was one which I will not say was counterbalanced, for there is no set-off for crime, but which was forgotten on account of the great services which those statesmen, at a subsequent period, endeavoured to render to England and to the human race, in warding off and frustrating the ambitious designs of the common enemy. But in the case of the noble Lord, I will go thus far in the way of admission, that if any hon. Member of this House can show me a single fact in the whole career of the noble Lord which is inconsistent with the charge which I make, I will frankly and voluntarily abandon the whole charge. On the contrary, Sir, I shall clearly show, having established, on satisfactory evidence, the guilt of the noble Lord in a variety of instances, which I shall enumerate, that there is a consistent tenor in all this criminality, so that it is impossible to quit the subject and to find refuge in any other conviction than that throughout the whole of his acts there is proof of concert and of design—of concert with the enemy, of design in the noble Lord; and therefore that it is impossible to resist the conclusion which the law and common sense, and which opinion will draw, that the noble Lord has superadded, to all the other crimes which, in the exercise of his functions, to the sacrifice of the interests of England, he has committed the crime of high treason—not constructive treason,

not such treason as was chargeable against Mr. Fox—but wilful and deliberate treason—and that at this moment the noble Lord, to whose hands the interests of this country are confided, is still under the necessity of going on in the even path of consistency, conscious that the moment when he pauses will be the moment of his discovery and fall.

Sir, these are, in frank and honest language, the charges which I make and which I do affirm beforehand, and I will now proceed to that statement which will entitle me to demand from the House the means of making them good.

The noble Lord's policy from an early period, from a period which was nearly coeval with his own accession to office, was such as to draw down the approbation, the secret, and therefore it may be supposed the honest approbation of the Russian Cabinet.

Sir, it will be in the recollection of hon. Members that in the year 1829, the Government of this country, headed by the Duke of Wellington, was sedulously, and on the whole successfully, engaged in defending the rights of England and the independence of Turkey against the aggressions and usurpations of Russia. It will be in the recollection of hon. Members, that the Secretary of State for Foreign Affairs of that day, finding that, contrary to the obligations of solemn treaties, Russia was using the Treaty of London in 1826, for the purpose of her own territorial aggrandizement, intimated to her Ambassador in this country, that the Government not only would not sanction such aggrandizement, but would, if necessary, enforce against Russia the stipulations of the Treaty of London. Amidst these negotiations the war still went on between Russia and the Turks. The hopes and fears of the Russian Cabinet were at that time represented by Prince Lieven at this Court. I have here an extract from a despatch of Prince Lieven, dated June the 1st, 1829, and which was very soon after the cause of a debate in this House, when the noble Lord took upon himself the vindication of Russia—took upon himself to censure the English Government—because it had not proceeded in the course of exacting concessions to Russia, and sacrificing the interests of Turkey.

Viscount PALMERSTON: Not Russia—Greece. I spoke of Greece.

Mr. ANSTEY: I shall come to that question of Greece sooner than the noble Lord perhaps wishes; but, in fact, the noble Lord must know that Greece was then a part of Turkey. Turkey had not recognised the independence of Greece, and, therefore, it was not with Greece alone, but with Turkey too that the Three Powers had to treat for Greek independence.

Now, this despatch mentions a speech of the noble Lord of that period; it speaks of Lord Aberdeen in terms which I trust a British statesman will always be spoken of in a secret and reserved despatch of a Russian Minister—I mean in terms of reprobation. It then proceeds to say of the noble Lord opposite (Lord Palmerston) that—

"The speech of Lord Palmerston, whose name is henceforward associated with those of the first orators in Parliament, has insisted on the preservation of the general peace, and proved that an Austro-Turkish policy would only tend to disturb it."

Sir, every one of the speeches of the noble Lord on that question may be taken to demonstrate clearly the noble Lord's position—an indication of the views which he held at this time, when his return to office was not by himself immediately expected. On the 5th February, 1830, the noble Lord, speaking of the disinclination of Lord Aberdeen to permit the fall of Turkey, says—

"I think that the principles on which the foreign policy of this country has been conducted are exceedingly unfortunate. I am of opinion, that they are alike injurious to the honour and to the interests of the empire. . . . I think it would be mischievous if it went out to the world, that this House entirely approved of the foreign policy of Ministers. Sir, I object to the policy of making the integrity of the Turkish dominion in Europe an object essentially necessary to interests of Christian and civilised Europe."

Viscount PALMERSTON: That referred to Greece, not to Russia.

Mr. ANSTEY: The speech will speak for itself, if the noble Lord will hear it.

"I do not wish to see Turkey garrisoned by Russians, nor the Russian frontier extended in that line; indeed such an extension would not be for the interest of Russia herself, and I am sure it would not be for the interest of the rest of Europe. But, I ask, was there no alternative between putting Russia into possession of Turkey, and the cessation of the existence of Turkey as an independent Power? I must conclude, Sir, from what has occurred, that the Russian war has not ended satisfactorily to our Government."

So that, according to the noble Lord, there was an alternative between putting Russia in actual possession of Turkey, and the

cessation of its political existence. That is to say, the noble Lord saw that there was an alternative by means of which that cessation was to be obtained, without proceeding to give Russia the actual occupation.

Now, what was that alternative? "We had two courses to pursue"—so that it appears there was not one but two courses—the House will presently see that there was only one—"one was evidently out of the question." So that there was only one course after all. What was it? It was this: "If we had not assisted Turkey openly, we might, by inducing her to make timely concessions to just demands, have prevented the occurrence of war." But there was no war except between Russia and Turkey. The war which was then raging between Russia and Turkey was of such a character, that Lord Aberdeen, from the commencement to the close, had stated to the Russian Government his determination not to sanction those demands, nor to allow Russia to place Turkey, towards the rest of Europe, in any other position than she was when she commenced it; because Russia had been previously bound by the Treaty of London to seek no territorial aggrandizement by the operations employed for carrying that treaty into effect, and which were made by her the pretext of war. I say then, that, strengthened by the influence which that treaty gave her, and the rights which that treaty conferred—for the purpose of settling the affairs of Greece, and for no other purpose—Russia did make demands upon Turkey of a nature inconsistent with the terms of that treaty. Those demands the noble Lord pronounced to have been just.

Lord PALMERSTON: Those were the demands made before the war. There was no territorial aggrandizement demanded till after the war.

Mr. ANSTEY: The noble Lord says, that the demands of Russia at the time, the concession of which could alone have prevented the occurrence of war, were just demands. Those were the demands set forth in the note of the Russian Envoy presented to the Porte, and afterwards referred to in the declaration of war. They speak for themselves; they include a demand for reforms in every department of the Turkish Government; they claim for Russia the right to see those reforms executed, and to establish an efficient control over the Turkish Government, under the pretext of carrying those reforms into effect. They relate to Turkey, and not to Greece. If this is not territorial aggrandizement and political advantage, I will ask the noble Lord to tell me what it is. And these demands the noble Lord calls just! "Sir," he proceeds, "I am decidedly of opinion that Government should have used all means to induce Turkey to end a contest which must finally end in her humiliation." And then the noble Lord concludes with words to which I beg the attention of the House:—

"It will remain to be seen when the papers are produced which Government has announced, whether Ministers did feel it to be impossible to prevent a war between Russia and Turkey; and whether before they desisted from interference they had made every effort to dissuade Turkey from entering into the contest. The speech states that the Government had done their utmost to carry into effect the provisions of the Treaty of London, and that they will lay before Parliament papers to show the progress of those negociations. I hope, Sir, when those papers are produced, that they will be unlike the documents laid before Parliament at the end of last Session—that their contents will not be partial, meagre, and unsatisfactory—that they will not be confined merely to the correspondence of the negotiating parties—but that they will indicate the views and policy of Government during the whole of that long and important transaction."

I wish that the noble Lord in office had acted upon this invaluable principle—I wish that he had been thus frank and honest in his communications to Parliament. Had he done so, I should not be under the necessity of asking the House for copies of the whole of the documents relating to those bygone transactions, except such as have been laid before Parliament.

Sir, before I quit this subject, I may mention that the noble Lord is probably referred to in another despatch from Prince Lieven, dated the 4th January, 1829:—

"As to our war in the East, whatever may be the prejudices of the public generally it does not lack defenders among the most distinguished Members of both Houses of Parliament."

When a Russian Minister can with truth assert his reliance upon the support of distinguished Members of Parliament, I think the country has reason to tremble—I think the time has come when, by a great example, future Ministers must be deterred from walking in the noble Lord's footsteps.

Sir, in 1830, the noble Lord came to office. In the meantime the French Revolution of July had broken out, and it gave rise amongst the people of this coun-

try to a strong and unanimous desire for a firm and intimate alliance in all future negotiations affecting the peace and interests of the world with France, even against all other Powers. The noble Lord came into power when the mania for reform was at its height—it was no longer possible for the noble Lord to advocate in his seat, and on the Treasury Bench, those interests which he had advocated in Opposition. Accordingly, from November 1830, we hear no more speeches of the noble Lord, made in the defence, or in vindication of the just demands of Russia upon Turkey. The people of England had confidence in the then Ministry, a confidence justified by long services and personal character of some of its principal Members; and the noble Lord who had recently joined the party of reform, came in for a share of the common popularity. The people of England believed that he would not sacrifice to Russia the rights and interests of England and other nations; and that he would not repel France who had now become our ally, and was no longer an object of jealousy with us. Moreover, the Polish insurrection had just broken out, and the sympathies of England were with the Poles. And so strong were their sympathies, that the noble Lord dared not, at that juncture, openly oppose them. But the people of England placed confidence in the noble Lord, and too much relied upon his professions of attachment to the cause of Poland; and in that blind confidence they forbore to incite him to do that to which they generously supposed his principles inclined him — principles which he professed to share with the noble Lord the Member for the city of London and other friends of the cause of civil and religious freedom. Accordingly, not a syllable, as to his views respecting the designs of Russia, appears to have been uttered by the noble Lord the Member for Tiverton, from his accession to office in 1830, and for many years afterwards.

But still what Lord Aberdeen had to his utmost endeavoured to prevent, was silently pursued by the noble Lord, not only in Turkey, not only in Greece, but also in Poland, and in every part of the world where there were Russian interests to be furthered and English interests to be sacrificed.

The Duke of Wellington, on going out of office, had left behind him a Protest against the Treaty of Adrianople. To that treaty I shall by and by have to make reference. I therefore draw attention to this important fact, that so far from its having been accepted, it was solemnly and effectually protested against by Lord Aberdeen, as we learn from the despatch of Prince Lieven, dated London, June, 1829. It says—

"It will not escape your Excellency, that the Duke of Wellington and Lord Aberdeen have put everything in motion to wrest from us confidences as to the conditions of our future peace with the Turks. It appeared to us useless to repeat the assurances which, on this point, all the declarations of the Emperor contained, or add even any development of them. We shall confine ourselves to these generalities, for every circumstantial communication on a subject so delicate would have drawn down on us real dangers; and if once we were to discuss with our Allies the articles of a treaty with the Porte, we shall only content them, when they would have believed that they had imposed upon us irreparable sacrifices."

Now follow these remarkable words, which are the key to the policy of Russia; and let me add, and I do it with great sorrow, the policy of the noble Lord—

"It is in the midst of our camp that peace must be signed, and it is when it shall have been concluded that Europe shall know its conditions. Remonstrances will then be too late, and it then will suffer what it can no longer prevent."

This, Sir, was on the 1st of June, 1829, and before the noble Lord obtained office. How fearfully has the fulfilment of the prediction already been advanced! Let the House consider what was the state of our foreign relations when the noble Lord became the Foreign Secretary of State. Not a single aggression had then been committed upon Turkey or any other European or Asiatic Power since the Treaty of Vienna, to which England was a party, or against which she had not protested. Down to 1830 there are none of those paper blockades, armed interventions, and military negotiations, with which the noble Lord has made the world so familiar; none of those violations of the common law of nations and of their treaty rights which give its character to the policy of the noble Lord. Down to the period when the cry of Reform began—when men began to seek after novelties of doctrine, and to eschew the sober realities of life—down to that period, England had not committed against the common law of nations anything for which she would be liable even to the suspicion of reproach.

International law was then respected and enforced—Poland had not fallen—Persia was not then enthralled by the Czar—Central Asia was still warmly attached

to our alliance—the plains and valleys of the Iberian Peninsula had not been laid desolate and deluged with blood—Circassia had not been betrayed—Canada was loyal —India tranquil and prosperous. We were still the faithful ally of the Porte. Between the United States and this country, no cause of bitterness existed—even the Boundary Question no longer divided those two kindred States—for that question had been definitively settled by the award of the King of the Netherlands. There was not a single difficulty that could embarrass the operations of our Government in its relations to a single foreign State. Let the House consider how different is now the state of the world from what it was in 1830; and let the House remember that during the whole intervening period of eighteen years the Foreign Office has been either under the direct control and management of the noble Lord, or involved in and compromised by the results of his Administration. What a contrast is that between the picture which will offer itself to the eye of the successor of the noble Lord, and that which was presented to the noble Lord himself, on that day of evil omen when he first acceded to the administration of the national affairs of this country—a deplorable choice, which would never have been made if the dying words of Mr. Canning had been remembered and obeyed.

Two matters there were, indeed, in 1830, which somewhat shaded the otherwise bright prospect. The one was the Treaty of Adrianople, extorted from Turkey by Russia, in violation of the Treaty of London—the other was the occupation of Algiers by the Government of Charles X. But even here the wise foresight of Lord Aberdeen had interposed to quench the mischief in its first beginning. Against the Treaty of Adrianople he distinctly protested. The expedition against Algiers was undertaken to resent a supposed injury and insult which, according to the French Government (I will not stop to inquire into the truth of the allegation), had been offered by the Dey of Algiers to a diplomatic agent of France. Explanations were demanded by Lord Aberdeen; and the French Government was informed that, though England could not justify intervention to prevent the French Government from obtaining a just indemnity and satisfaction for whatever injury it had received, still no territorial aggrandizement of France in the Mediterranean, at the expense of the Porte, could be sanctioned by the English Government. Lord Aberdeen obtained from the Prince de Polignac the solemn assurance that the King of France sought no territorial aggrandizement; and that the terms of adjustment with Turkey and Algiers should be settled only after deliberation with the Allies of both Powers; and that, with the exception of two forts on the seaboard, *La Callé* and *La Bastion de France*, which were to be retained for the protection of the residents, the Algerine territory should be evacuated by the French army as soon as satisfaction was obtained. The revolution came; and France felt all the more the necessity of an English alliance against the apprehended invasions of a Russian and Austrian force; and if the negotiation for the surrender of Algiers to the Porte had still to be commenced, can it be believed that France would not have gladly made the sacrifice to secure the useful and valuable friendship of her new ally? How much more easy was it then for the noble Lord to obtain that concession, when in asking it he had to demand only the fulfilment of that which had been stipulated with his predecessor. The endeavour was not made, and Algiers was permanently abstracted by France from the dominion of Turkey, and the noble Lord connived at the usurpation. To this subject I shall have to refer by and by. At present I will content myself with repeating that the Treaty of Adrianople and the occupation of Algiers, thus severally protested against on the part of the British Crown, constituted the only exceptions to the general tranquillity and repose of the world at the time when the noble Lord, unhappily for England, became charged with the Foreign Department.

Now, Sir, what was the first act of the noble Lord? In tracing the progress of Russian usurpation, I begin with Turkey, and for two reasons: the one is, because the occupation of that country was indicated of old by the Czar Peter as the first important step to the world's dominion, in the instruction which he drew up, and from which I have quoted a few passages; and secondly, because of its peculiar importance and interest to our Eastern Empire, which is also endangered and threatened by Russia, and of which Turkey is the only bulwark.

I said just now, that the time would come when our colonial dominion, and our Indian empire, and even our independent

existence, would pass away, and that it depended mainly upon the success of this Motion whether or not this generation will witness it. I will now tell the House why I think so. We are now at the crisis. At this moment Russia is powerless against England; but in a short time it will be England that is impotent to resist Russia. The whole depends on one point — the possession of Constantinople. At this moment Russia dares not make war upon England. At this moment she is vulnerable in the very heart and strength of her empire. She has 2,000 miles of open coast to defend. All her efforts are, therefore, directed to the extension of her frontier to the Dardanelles. Then she will have narrowed that frontier to one league, and made it impregnable. Such is the position which she acquires from the moment that you have placed her in possession of Constantinople; for it will be by your act, and not by hers, that she is placed there. I say that to the Russians it is a vital question; to her and to us it is a question of life and death. Then, with subjugated Asia behind her, and Europe powerless in her front, and holding the keys of maritime and terrene dominion, it will depend on her to say how long shall endure—I will not say our Indian empire, nor our colonial rule—but our very existence as an independent State.

Sir, in 1833, Turkey found herself engaged in war with her vassal, the Pacha of Egypt. I shall not stop to point out by what means that powerful vassal was pushed on to attack the Porte. There never was any question in the mind of any man amongst those charged with the conduct of our foreign affairs, that he was pushed on by Russia.

I will, however, lay before the House, as briefly as I can, the results with which my humble industry has furnished me, from such sources as I have found open to me. For I have to state, that the volume of papers which the noble Lord in 1840 pretended to lay before the House, in explanation of the Treaty of July, 1840, and of the events which led to that measure, commence only with February 15, 1839. That was not the beginning of the question. The question arose in the year 1833. The whole case, therefore, has never yet been laid before Parliament.

In 1833, Mehemet Ali's forces, under the command of Ibrahim Pacha, his son, marched against Constantinople. There were difficulties which the House will perfectly understand—difficulties superinduced by the events of Navarino and Adrianople —which made it impossible to resist this powerful vassal at that time without calling in the aid of those Powers who had guaranteed the integrity of his empire — a guarantee on the faith of which the Porte, in 1829, had agreed to accept their interference. Accordingly, and on the security of treaties, application was made by the Porte to the noble Lord to protect Turkey against the Pacha of Egypt. The noble Lord refused this protection. Russia then offered her assistance; her offer was refused; for, notwithstanding the injustice and perfidy with which the noble Lord had already begun to treat Turkey, confidence was still reposed in England, and Russia was still held at defiance. A renewed application was made to England for support; and this time Russia affected to lend her countenance to the request. It was again refused. Yet, at a subsequent period, it appeared that the slightest intimation of the noble Lord's wishes would have sufficed to check Ibrahim's march. In fact, a mere consular agent at Alexandria of himself sufficed to check it. The Sultan, finding himself deprived of English support, however, at this critical juncture, and fearing for his capital, at length, and without the knowledge of the Porte, accepted a treaty which came to him ready drawn from St. Petersburg, and which placed his person and capital in the hands of Russian troops. Count Orloff was sent with this treaty from St. Petersburg; and he procured its acceptance by the Porte. It was signed at Unkiar Skelessi, shortly after his arrival; but not till the Porte had made another ineffectual attempt to move the noble Lord to justice. For no sooner had the Porte received it, than the treaty was communicated by them to the British Embassy, with a prayer for our protection against Ibrahim Pacha, and also against Nicholas. I do not think that our Ambassador was then there. The Ambassador, at every emergency brought about by the noble Lord, is always found to be absent. At all events the application was rejected. But that was not all. With an atrocious perfidiousness, the fact was made known to the Russian Minister! Next day the very copy of the treaty which the Porte had lodged with the British Embassy was returned to the Porte by the Russian Ambassador, who ironically advised the Porte "to choose better another time its *confidantes*." The noble Lord best knows whe-

ther the actor of this perfidy was chastised or rewarded. But no sooner was the treaty signed, than, shaking off his inaction, the noble Lord gave the necessary orders, and an English squadron, accompanied by a French squadron—for the French Government were then most disposed to co-operate implicitly with England in the affairs of the East—made a hostile demonstration, not against Russian ports in the Baltic or the Black Sea, but against the Dardanelles and other parts of the dominions of our ally the Sultan! Yet the alleged necessity for this demonstration was grounded on the Porte having accepted the Treaty of Unkiar Skelessi at the dictation of the Cabinet of St. Petersburg!

Sir, even this was not all. I have it on the authority of a book revised and published under the eye of Lord Ponsonby himself, our Ambassador at Constantinople —I have it on the authority of a book, which not only received the sanction of that noble Lord, but of which he is understood to have sometimes claimed the honour of authorship, that at the very time when this pretended demonstration took place, a communication was made to the Russian Ambassador here by the noble Lord the Member for Tiverton—

Mr. MAGAN moved that the House be counted.

There being found only thirty-nine Members present,

House adjourned.

HOUSE OF COMMONS,

Wednesday, February 9, 1847.

Minutes.] New Writ.—For Dublin University, *v.* Right Hon. Frederick Shaw, acc. Chiltern Hundreds.

Petitions Presented. From Inverness, that the Privilege now granted to Members of Parliament of Freedom from Arrest may be abrogated..—By several hon. Members, from various places, for and against the Jewish Disabilities Bill.—By Sir R. Inglis, from Norfolk, in favour of, and by Mr. C. Anstey, from several places, against, the Roman Catholic Relief Bill.—By Mr. A. Duncombe, from Nottingham, and Earl Jermyn, from Suffolk, for Repeal of Duty on Attorneys' Certificates.—By Sir E. Buxton, from Cadogan Williams, for the Establishment of Agricultural Schools.—By Sir J. Tollemache, from Independent Order of Odd Fellows, Manchester Unity, that the Provisions of the Benefit Societies Act may be Extended to them.—By Mr. Baines, from Kingston-upon-Hull, for Sanitary Regulations.—By Mr. Cubitt, from Andover, for Retrenchment of the Naval and Military Expenditure.—By Mr. O. Duncombe, from Poor Law Officers, for a Superannuation Fund.—From Woodbridge, for Abolition of the Punishment of Death.—From Inverness, for Inquiry respecting Turnpike Roads (Scotland). —By Sir E. Buxton, from Burton-upon-Trent, for the Adoption of a Treaty of Arbitration between the British Government and the other Governments of the world respectively, to Settle Disputes between Nations.

SPIRITUAL LORDS.

Mr. URQUHART begged to ask, whether it were the intention of Ministers to advise Her Majesty to call the Bishop of Hereford to the House of Peers?

Sir G. GREY replied, that the Act passed during the last Session of Parliament for creating a Bishop of Manchester, provided that no addition should be made to the number of Lords Spiritual.

Mr. URQUHART said, that was not an answer to his question. He wished to know whether it were the intention of the Government to advise Her Majesty, in the exercise of Her undoubted prerogative, to call the Bishop of Hereford to the House of Lords.

Sir G. GREY: It is not the intention of Her Majesty's confidential adviser to recommend Her Majesty to increase the number of Spiritual Peers.

THE STATE OF IRELAND.

Mr. P. SCROPE said, he rose to put to the right hon. Secretary for Ireland the question of which he had given notice. He considered that the present condition of Ireland had not received proper attention. He believed that many of the inhabitants of this country, if they were called upon to render any further aid to the people of Ireland, would say, "We have passed a poor-law to relieve the miseries and distresses of the Irish people; let that poor-law take its course; let it be carried oot effectually: let the landlords of Ireland, by the help of that poor-law, settle the matter themselves; and do not trouble us on the subject, or, at all events, don't ask us for more money." He would, therefore, claim the indulgence of the House for a few moments, while he called their attention to some of the statements which had appeared in the public journals with reference to the misery and destitution which existed in Ireland. He would not refer, as his authorities, to the repeal journals, which might be disposed to represent matters in their worst aspect, but he would read some passages from a newspaper which was supposed to be the organ of the Government—the *Dublin Evening Post*, to show the condition of the people in many parts of Ireland. The hon. Gentleman read an extract from the *Dublin Evening Post* of Saturday last, stating that the intelligence from the western counties was most appalling; that on the preceding Tuesday the town of Roscommon was crowded with destitute persons; that the workhouse

already contained 1,100 inmates, and that 2,000 more were vainly seeking admission; that from the number of destitute peasantry who crowded into the town the inhabitants became alarmed, and the workshops were closed; and that several of these people died before they could leave the town, while hundreds were strolling about suffering from fever, spreading disease wherever they went. The hon. Member also read, from the same journal, a communication from Galway, stating that on Wednesday 3,000 starving individuals were in the streets of that town almost destitute of clothing and clamorous for food, and that three children died in one night from exposure to the severity of the weather in the streets. It was evident from these and other similar statements with which the Irish local journals were filled, that a very large portion of the population of Ireland were still in the most extreme destitution, and on the very verge of starvation. He referred to these accounts in order to draw the attention of the House and of the public to the necessity of some inquiry into the operation of the poor-law of last year, and in order to ascertain if it were true that, notwithstanding that law, which gave the destitute poor of Ireland a title to relief, the people of that country were now dying by scores, and were likely soon to die by hundreds, for the want of that relief which the law professed to secure to them. It might be said these were only newspaper stories. But he could produce statements of a more authentic character to show that so long back as three months ago the Irish people were deprived of that relief to which they were entitled. He wished it, however, to be understood that he brought no charge against the right hon. Gentleman the Secretary for Ireland, or against Her Majesty's Government. But he did say that it was necessary that these facts should be either explained or denied; and that it should be made known from authority whether the poor-law was really effective as a resource against the starvation of the poor or not. He had this morning received a letter from a gentleman in the county of Limerick, asking whether, under the late Act of Parliament, if a person who had applied for relief to *ex-officio* or elected guardians, died for want of such relief, as was the case in many instances, the relieving officer was liable to prosecution? The fact was, that the people of Ireland did not understand what the law really was; they were not aware whether the law with regard to the granting of relief was imperative or not; and he thought that some public declaration should be made by the Government on the subject. Let it be remembered that up to July last one-third of the population of Ireland were fed at the public expense; and if it was not intended that the relief afforded under the poor-law, which was substituted for that system, should be compulsory, he contended that it was most unjustifiable to discontinue a system of relief by which alone 3,000,000 of the Irish people were saved from starvation. The Poor Law Act of last year expressly required that the boards of guardians should make provision for the due relief of all destitute poor persons; and the Poor Law Commissioners, in a circular dated the 26th of July last, warned the boards of guardians that they were absolutely required from that time forward to give due relief, according to their necessities, to all classes of the poor of Ireland. The Lord Lieutenant of Ireland was reported to have declared, in a speech he recently made at the Mansion-house, that the Poor Law Act of last year did, for the first time, give to the poor of Ireland a right to relief which would preserve them from starvation. The highest judicial authority of Ireland, the Lord Chief Justice, in opening the special commission at Limerick, prefaced his charge to the grand jury by stating, as an aggravation of crimes of an agrarian character, that a law had been passed giving a certain and effectual relief to every destitute poor man in Ireland, and that such a measure ought to have the effect of taking away all apology for crime. This was the language of that learned Judge:—

"As I have adverted to what may be fairly termed the principal object of these illegal confederacies, I may observe that at no period does there appear to be less reason on that account for interfering with the rights or remedies of landlords, because you are all well aware that the principle that every individual has a right to be supported by the land is not only an acknowledged principle, but has been embodied in an Act of Parliament in full execution, by which Act the most stringent measures are provided for making effectual provision for the poor under all circumstances, and that, too, at the cost of the very class of persons against whose rights there is this general opposition."

There can, therefore, be no doubt that the intention of the Legislature, and the letter of the Act, as interpreted by the highest

authorities, have given a legal right to relief in destitution to the Irish poor. But is it effectual? Is this just and righteous law enforced? That was the point and marrow of his question. He must ask the House to bear with him for a short time while he called their attention to the manner in which the Irish Poor Law had been carried out; and, in doing so, he would not mention any cases which were not authenticated in the papers which had been before the House for some time past. Those papers only referred to events which had taken place up to the middle of November last; they contained no account of the occurrences which had taken place within the last two months; but they afforded ample evidence that for the preceding three or four months the greatest misery and destitution had been experienced by the poor of Ireland, in consequence of that relief to which they were entitled under the Poor Law Act being withheld from them. The first case to which he would call attention was that of the union of Ballina. In that union, which was one of the most extensive in Ireland, no less than 65,000 rations were issued daily in September; and, including the barony of Erris, at least 80,000 poor were receiving public relief daily in that district. From that time forward, however, all these persons were thrown upon their own resources—that was to say, they were entirely dependent upon the poor-law for support. Now, what did the House suppose was the condition of the Ballina union in the middle of October? It appeared from Mr. Bourke's letter, dated the 13th of October, which was given given at page 75 of the Printed Papers, that four months previously a rate of 13,869*l.* had been declared necessary and voted, and that on the 13th of October only 868*l.* had been collected, leaving 13,000*l.* still due. Mr. Bourke stated, that "persons of the highest consideration and position in the county of Mayo" had refused to pay their rates. The names of the defaulters were given; and though he (Mr. Scrope) did not wish to mention names if he could avoid doing so, he might state that in the list he found the names of several persons of the highest rank, and of the greatest respectability and wealth in the county. The month of October passed, and the month of November wore on; and it appeared from a letter of Lieutenant Hamilton, written on the 13th of November, that at that time—five months after the rate had been signed—some of the guardians themselves owed a very large amount of rates. But while the guardians were thus refusing to pay their rates, what was the condition of the poor in this union? It appeared from the statement of Mr. Tuke, a gentleman belonging to the Society of Friends, who visited Mayo in the autumn of last year, that at that time evictions and clearances had been rapidly going on. Numerous roofless dwellings met the eye in all directions, destroyed at the instance of the landlords, after turning adrift the miserable inmates. [*The hon. Member here quoted from a work by Mr. Tuke a specific case; but as the hon. Member, on a subsequent day, before our report was sent to press, retracted the statement, and added, that Mr. Tuke's pamphlet had been withdrawn from circulation, we have suppressed this part of the hon. Member's speech.*] What then was the result? These poor wretches, in some cases, had to struggle fifty miles to the workhouse to seek relief. When they arrived there, what did they find? The doors closed against them. It appeared from the authentic report of the poor-law inspector, that at this very time the guardians of the Ballina union had passed an illegal resolution not to admit nor to give relief in any shape to a single poor person from the barony of Erris, the most distressed part of the whole union, on the ground that the rates were not paid for that district. So that the very landlords who were evicting their poor tenants by the non-payment of their rates, occasioned the refusal of relief to them when houseless and starving through their act. These miserable beings then endeavoured to retrace their steps home; but it appeared from the report of the poor-law inspector that several of them died on the way. It was stated by Lieutenant Hamilton that at this time the poor even within the Ballina workhouse were in a state of starvation—that they were actually dying for want of sufficient nourishment. The report of the same gentleman also stated that in another portion of the barony of Erris, Bingham's-town, the people were in a most destitute condition; that their only sustenance was turnips, and the supply of this food was limited; and that the relieving officer had several hundreds on his books, but the poor people were afraid to venture a second time to Ballina, the distance being forty miles. It appeared that at this very time the proprietor of Bingham's-town, a gentleman

named Bingham, was in the defaulter's book for poor-rates to the amount of 119*l.* 3*s.* 8*d.* He (Mr. Scrope) wished to call the attention of the House to the fact, that at this time the union of Ballina and the county of Mayo were in a state of perfect tranquillity; even those poor wretches who were refused relief, and who died by the road-side, respected the property of their neighbours, and outrages were seldom heard of. He was aware the landlords of Mayo had found great difficulty in paying their rates, that some of them were involved in embarrassments, and that many had been unable to obtain payment of their rents.

Mr. HUME rose to order. He was very unwilling to interrupt the hon. Member who was addressing the House; but he must remind that hon. Gentleman that he had merely given notice of his intention to put a question to the right hon. Secretary for Ireland. He was quite aware that any hon. Gentleman, on the Orders of the Day being read, might enter into the discussion of any subject; but if such a course were pursued, it would occasion great inconvenience and waste of time. Several hon. Gentlemen had come down to the House prepared to discuss a Bill which stood on the paper (the New Zealand Bill); but the hon. Member for Stroud had opened the book of Ireland, and was entering into statements which would require answers and explanations. He understood that Her Majesty's Ministers had not received any notice of the intention of the hon. Member to enter into this question, and that they were consequently unprepared with documents which would enable them to answer his statements. He, therefore, put it to the hon. Gentleman whether it would not be more convenient if he gave notice of his intention to bring the state of Ireland under the consideration of the House on a future day, and allowed the debate on the New Zealand Bill to be proceeded with.

Mr. W. SMITH O'BRIEN complained of the interruption of the hon. Member for Montrose. He conceived that no question could be brought before the House more deserving of their immediate and serious consideration than the subject to which the hon. Member for Stroud had called attention; and he thought it was a reproach upon the House that they should have allowed a single day to pass after the commencement of the Session without considering that question.

Sir G. GREY hoped the House would not suppose that there was any desire on the part of the Government to stop the discussion of this question, although they certainly were not prepared with documents which would enable them to answer any statements that might be made —that was to say, they were not prepared to enter fully into the question of the administration of the poor-laws. The hon. Member for Stroud had stated that he had given due notice of his intention to put a question to the Government on the subject of the Irish Poor Law; but he must observe that the hon. Gentleman had not intimated that he would put that question on reading the Order of the Day. He was not surprised that his hon. Friend (Mr. Scrope)—although probably he had only intended to occupy the attention of the House for a few minutes—should have spoken for nearly an hour; and he thought there was not much prospect that the hon. Gentleman would soon bring his remarks to a conclusion. He considered, therefore, that the interruption of the hon. Member for Montrose was not very unreasonable, especially as several hon. Gentlemen had given notice of their intention to bring the subject to which the hon. Member for Stroud was referring distinctly under the consideration of the House. He would put it to his hon. Friend, whether it would not be more convenient if he confined himself to the question of which he had given notice, and allowed the House to proceed with the business on the paper. He had no idea that a discussion would have been raised on this subject to-day; his noble Friend the First Lord of the Treasury, and other Members of the Ministry, were absent from the House; and he certainly thought it was scarcely fair that a question of this importance should be mooted without the usual notice having been given.

Mr. AGLIONBY observed, that many hon. Members had come down to the House prepared to take part in the discussion on the New Zealand Bill: and it would be a most inconvenient course if a subject so important as to which the hon. Member for Stroud had called attention was brought before the House without notice.

Mr. SCROPE considered that the subject to which he was referring was one of paramount importance, and possessed stronger claims on the attention of the House than either the New Zealand Bill, or the measure for removing Jewish disabilities. He had said that the poor of

Mayo had exhibited a patience and forbearance from crime quite extraordinary under these frightful sufferings and unjust refusal of legal relief to them. A neighbouring county, however, under similar circumstances, was not equally exempt from crime. He would now advert to the union of Carrick-on-Shannon, in the county of Leitrim. There the workhouse, though not one-third full, was closed against the admission of paupers for three or four months up to the end of November. Captain Wynne said, in his report—

"The poor-law cannot be said to be in operation in this union;" and on the 29th of November he added, "there are now wandering about the union 1,600 persons or more waiting for admission into the House."

It was in this union about this time that Mr. Lloyd was shot. The persons suspected of that crime had, he believed, died of fever in prison; but if they had been tried, the Chief Justice could not have said, in opening the commission, as he did at Limerick, as an aggravation of such offences, that the benevolence of the law had taken away all possible apology for crime by securing every poor man from perishing through want, and giving him the certainty of relief in destitution. To proceed to a third instance, where there could be no excuse made of extreme and general poverty—the wealthy union of Cavan in the province of Ulster. The condition of the Cavan union on the 21st of December is thus described by Messrs. Robinson and Bates:—

"The valuation of this union, of which Lord Farnham was chairman, was 127,000*l.* a year, whilst the poor-rate collected in twelve months up to December was only 5,890*l.*, or less than 11½*d.* in the pound."

And yet in this union the rates still, in December last, remained uncollected, while the poor were allowed to starve unrelieved. He could not refrain from alluding particularly to one case which occurred in this union—that of Catherine M'Evoy and her children. This woman on being turned out of a fever hospital with two of her children in a state of convalescence, the family erected a hut in the neighbourhood of a wood, where, with the assistance of neighbours, they endeavoured to support existence. On the 23rd of October one of the children died, and a coroner's jury which sat upon the body returned a verdict, declaring that the child had died from starvation. The verdict was sent to the Commissioners, who returned it to the board of guardians, with injunctions to them not to allow any of the survivors of the family to fall victims to starvation. Notwithstanding this, the woman died on the 23rd of November, and a coroner's jury which sat upon the body declared that she, too, had been starved to death. For weeks previous to her death the woman's screams had been heard by her neighbours, who were themselves too destitute to afford her sufficient relief. Now, he begged to ask whether the Cavan board of guardians could not be punished for their conduct in this case? In England the law provided a punishment for parties who should act in a similar manner, as would appear from the following passage in *Russell on Crimes and Misdemeanors*:—

"Thus, where an indictment stated that the defendant, an overseer, had under his care a poor person belonging to his township, but neglected and refused to provide for her necessary meat, &c., whereby she was reduced to a state of extreme weakness; and afterwards, through want of such reasonable and necessary meat, &c., died, the defendant was convicted and sentenced to a year's imprisonment. And where an overseer was indicted for neglecting to supply medical assistance when required to a pauper labouring under dangerous illness, the learned judge before whom the indictment was tried held that an offence was sufficiently charged and proved, though such pauper was not in the parish workhouse, nor had previously to his illness received or stood in need of parish relief."

In *Blackstone's Commentaries*, also, it was stated that

—"if a man does an act of which the probable consequence may be, and eventually is, death, such killing may be murder, although no stroke is struck by himself, and no killing may be primarily intended (as was the case of the son who exposed his sick father to the air by reason whereof he died), as was the case of the parish officers, who shifted a child from parish to parish till it died for want of care and sustenance."

Was not the law in Ireland the same? It might be said that it was necessary to make allowance for the circumstances in which Ireland was placed—for the difficulty which landlords experienced in obtaining their rents—and for all the drawbacks attendant upon the administration of a new law. But was any allowance made for the poor men condemned to perish for the infraction of the laws on account of the circumstances in which they were placed?—was any allowance made for the poor men about to be hanged this week in Limerick, or for those who were sentenced to be otherwise punished for helping themselves to a sheep or a loaf of bread which did not belong to them, in order to save them-

selves and their children from the most agonising deaths? If allowances were not made in those cases, why should they be made in favour of the wealthy, who, by their infraction of the law, or resistance to its operation, not only endangered but actually destroyed the lives of the poor? If Ministers found themselves unable to enforce the poor-law with sufficient vigour to enable them to fulfil the engagements to which they were bound, they ought at least to provide a substitute, and in some other way do that which the poor-law promised to do — namely, to secure relief to the destitute, for want of which so many died during the last few months. The hon. Gentleman concluded by asking the Secretary for Ireland whether any and what legal proceedings have been taken against such boards of guardians or relieving officers as have neglected the duties imposed on them by the Act 10 and 11 Victoria, c. 31, of affording due relief to the destitute poor?

Sir W. SOMERVILLE said, the hon. Member for Stroud had given him notice of his intention to put three questions respecting the unions of Cavan, Carrick-on-Shannon, and Ballina, but he had spent more than an hour in addressing the House before he came to the subject-matter of those interrogatories. He (Sir W. Somerville) had not come down to the House prepared to enter into a discussion on the Irish Poor Law; but he was the last man in that House who would complain if any hon. Member should come forward to call the attention of the Government to the distress which unhappily prevailed to so grievous an extent in Ireland. He was of opinion, however, that the hon. Member for Stroud had done very great injustice to that House and to the country by stating that there existed either within the walls of that House, or outside of them, any disinclination to administer as far as was possible to the necessities of the destitute poor of Ireland. Since he had come to this country, many parties who were aware of the position he held in Ireland as one of the Commissioners for carrying out the provisions of the poor-law in that country, had made many inquiries of him which satisfied him that the deepest possible interest was felt throughout England as to the manner in which the Irish Poor Law was working, and as to its capacity to relieve the wants of the destitute. He did not complain of the tone of the speech made by the hon. Member for Stroud; but he did think that the hon. Member, in touching on this question, had left entirely out of view the enormous difficulties which the Government had had to contend with. There was no one connected with Ireland who had watched the operation of the poor-law in that country, and who was aware of the intricate and complicate machinery by which it had to be worked, who must not be cognisant of the vast difficulties which they had to contend with who were engaged in the administration of such a measure. The system of relief which existed in Ireland before the introduction of the new poor-law, was carried on through the instrumentality of commissioners and finance committees in each of the electoral districts; and the relief administered under that system was brought home, it might almost be said, to every poor man's house. That system was suddenly put an end to, and the poor-law came into operation, worked by a machinery more complicated, more extensive, more difficult, and which, moreover, had to be put into immediate operation. Those who knew the great aversion of the people of Ireland to go into a workhouse, and the amount of destitution which had to be relieved in that country, and the extent to which that destitution was permitted to advance before the poor could induce themselves to make application to the parties, whether guardians or relieving officers, to whom the administration of the law was confided, could not but be aware that it was extremely difficult, nay, that it was actually impossible, to make the machinery of that law available to effectually meet the enormous destitution with which it was so suddenly called upon to deal. With respect to the particular instances of distress alluded to by the hon. Member for Stroud, the only answer he could give him was, to refer him to the sequel of the correspondence from which he had quoted a portion to the House. It was true that a number of gentlemen attended the meeting of the board of guardians in Ballina, and there made an appeal to the assembled authorities, stating that it was not in their power to meet their liabilities, and discharge their duties. He would beg leave to refer the hon. Member for Stroud to the answer of the Commissioners to that representation, which was to the effect, that the Commissioners, looking to the financial state of the Ballina union, and to the necessity of maintaining the destitute poor, were of opinion that no considerations of

such a kind as those made to the guardians by the gentlemen who had appealed to them, would justify any delay in the enforcement of the rates due by landed proprietors in the union; and they concluded by giving directions that the guardians should proceed to enforce the payment of such rates, let the consequences be what they might. The regular boards having shown their reluctance to comply with this admonition, paid guardians had been appointed in their stead, who had left no effort unaccomplished to collect the rate, and provide for the maintenance of the poor. The great size of the unions in Ireland constituted another difficulty in the way of the effective operation of the law. No union had suffered more in that respect than the union of Ballina; but the Commissioners, sensible of the fact, had done all in their power to remedy so unfortunate an evil. They had divided the union into two, and there was now a separate workhouse presided over by paid guardians in Erris, which was the most destitute district of the entire union. A separate inspector had also been appointed in the person of Mr. Hamilton, whose special duty it was to attend to that district. With reference to Carrick-on-Shannon, there, too, complaints had been made of the non-collection of the rate; but the Commissioners resolved that every practicable effort should be had recourse to to enforce the payment of all solvent arrears. As to the general question of the liability to punishment of persons engaged in the administration of the poor-law, in the event of their neglecting their duty, he believed that the proposition did not admit of a dispute. He believed that there could be no question that a relieving officer, neglecting his duty or refusing to give relief when he had it in his power to grant it, and had been applied to for it, was liable to an action; but the hon. Member for Stroud had not brought forward any such case of misconduct on the part of a relieving officer, nor did he think that such a case was to be found in the correspondence of the Commissioners. Great backwardness to discharge their duties had been manifested by the board of guardians in Cavan; but their dissolution had been the consequence, and a very different state of things had now arisen. The amount of rate collected by the paid guardians of the Cavan union since their appointment had fallen little short of 10,000*l*. He was sure that the correspondence thereafter to be laid before the House would show a progressive improvement in all the unions of Ireland, and would prove that no effort had been left untried to collect the rates, in order that the means of subsistence might be procured for the destitute poor; but he firmly believed that it was impossible for a poor-law machinery, called into operation so suddenly at the termination of a system which brought home to every poor man's house prompt and immediate relief—he repeated that it was impossible for a machinery thus severely and suddenly taxed, to cope effectually with the enormous mass of misery which was thrown upon it.

Mr. F. O'CONNOR said, that when there was a general charge made against Irish Members of not bringing forward practical measures with regard to distress in their own country, he thought the House owed a debt of gratitude to the hon. Member for Stroud for the effective, but, at the same time, calm manner, in which he had introduced the present question. He concurred in the opinion expressed by the right hon. Gentleman the Secretary for Ireland that it was difficult to bring so complicated a machinery as that of the New Poor Law system suddenly into perfect operation. He was aware, from his own experience of the character of the people of Ireland, that when the Government took away from the landlords of that country the great powers and patronage which they had hitherto possessed, perfect chaos must intervene before order could be restored. There were, however, two questions now before the country on which he congratulated Her Majesty's Ministers: one was an announcement which he had seen in the *Times* newspaper of yesterday, that arrangements had been completed for an application to Parliament for the incorporation of a company, under the sanction of the Earl of Clarendon, for establishing a "small-farm system" in Ireland. If the Government should give their aid to the noble Earl in carrying out his intentions, but few causes of distress in that country, and but few just grounds of complaint, would then remain. The other question to which he alluded was that of tenant-right, on which he wished to reserve his observations until the question came regularly before the House.

Mr. W. SMITH O'BRIEN did not wish to lead the House into a premature discussion on the Irish Poor Law, although he thought it was a subject quite as deserving of the early attention of the House as a new constitution for the colony of New

Zealand. His object in rising chiefly was to make an appeal to the Government, not to allow the people of Ireland to die as they were now dying. There was not a post that arrived in this country from Ireland that did not bring accounts of the people starving there. It was no answer to say that it was the fault of the guardians, of the Poor Law Commissioners, or of the landlords. Whosever fault it might be, it was the duty of the Government to see that the people were not suffered to perish. If the boards of guardians neglected their duty, protection ought not to be afforded them. As to the Commissioners, he confessed he was not able to unravel the system by which they conducted their proceedings. But there were many subjects well deserving the consideration of the Government besides the due administration of the poor-law; subjects which had often been suggested to Her Majesty's Ministers, but which had hitherto failed to engage their attention. Up to the present moment nothing had been done with regard to the waste lands in Ireland; on the contrary, it appeared that the object of the Government, and of the Poor Law Commissioners, was to render the large expenditure upon the poor of that country as unproductive as possible. He was afraid that after expending millions the result would, on looking back, be found to have been a mere waste of money, and that its expenditure had been productive of no other consequence than that of the demoralisation of the people. Last year he pointed out the impracticability of carrying into effect the poor-law system, in consequence of the unions being too large. His admonitions on that occasion were not attended to; but he was glad to find that since then the opinion of the right hon. Gentleman the Secretary for Ireland had changed upon that subject, and that he was now convinced that unions of a smaller area were necessary to the efficient working out of the new law. But it would not be enough to divide the unions; greater powers were required to be given to the public to scrutinise the claims of applicants, for the purpose, on the one hand, of protecting the ratepayers against impostors, and, on the other, of being assured that every deserving object, on making application, obtained relief. There was another portion of the present system which operated in a most painful and distressing manner—he meant the exclusion of all persons as recipients of relief who occupied a quarter of an acre of land. He had no hesitation in saying that the quarter-acre system would have the effect of ejecting from their holdings many thousands of persons in Ireland. He considered that all the arguments which were made use of last year for the suspension of the operation of that enactment were equally applicable to the circumstances of the present year, and that Government ought to bring forward a measure for repealing or at least suspending the application of that system.

Mr. HENRY DRUMMOND was desirous of making a single observation. The hon. Gentleman who had just sat down had said, that no question was more deserving the attention of the House than that concerning the Irish Poor Law. Now, it was on that very ground he regretted that this Motion had been brought forward by the hon. Gentleman the Member for Stroud. It was because he was desirous of going into a discussion on the very questions which the hon. Gentleman had mentioned respecting the reclaiming of waste lands, the doing away with the quarter-acre system, and so forth, that he considered this to be a most inopportune and ill-advised moment to bring forward the subject, there being no opportunity on such an occasion as this for entering upon any such discussions. He, therefore, protested against its being supposed that because English Members declined going into the consideration of those questions on the present occasion, there was any want of feeling on their part for the distresses that at this moment afflicted the people of Ireland.

Sir B. HALL concurred in what had fallen from the hon. Member for West Surrey. He was quite ready to go into the subject of distress prevailing in Ireland, but he would not do so on such an occasion as this, because he did not wish to encourage so inconvenient a mode of dealing with great public questions. He was anxious that a day should be appointed when the subject should be brought fully and deliberately under the consideration of the House; and, whenever that might happen, he should be prepared to give it his best attention.

Mr. REYNOLDS would be the last Member in the House to encourage any act calculated to interrupt the public business of the country; but as to the observation of the hon. Gentleman the Member for Montrose, that this discussion would interfere with the New Zealand Bill, he would say it was of more importance that

the lives of the people of Ireland should be saved, than that their time should be taken up in mending the constitution of New Zealand. He (Mr. Reynolds) thought he should be justified in calling the attention of the House to Irish destitution, at least once a week. It was a question of life and death. The people were dying in thousands, while that House was relying upon that which appeared to be a rotten reed, namely, the working of the poor-law. He had already declared that he was favourable to the principle of the poor-law; but he believed that Her Majesty's Government, and a majority of the Members composing that House, placed too much reliance on its good effects in Ireland. It was time the Government should direct their attention to the profitable employment of the people. He would remind the House that the waste lands were unreclaimed; that the resources of the country were undeveloped; and that it was profitable employment the able-bodied poor required, and not to be fed in idleness.

Mr. S. CRAWFORD would not detain the House for one moment, but was anxious to call the attention of the right hon. Gentleman the Secretary for Ireland to the oppression which was now practised under the quarter-acre clause.

Subject at an end.

EPIPHANY QUARTER-SESSIONS BILL.

Mr. PACKE moved the Second Reading of the Epiphany Quarter Sessions Bill. The object of the Bill was to postpone the period of holding the sessions for a week for the convenience of magistrates, jurors, and witnesses. Although he might encounter the opposition of the bar, on the ground that it would interfere with the discharge of their professional duties during the ensuing term, still he would submit that the measure if carried would be of convenience to a great many persons.

Sir GEORGE GREY'S only objection to the Bill was this: From the information he had received, and the best consideration he could give the measure, the inconvenience it sought to remove was occasional, and the effect of removing it would be more than counterbalanced by the permanent inconvenience which would result from this Bill. Unless gentlemen of the bar could attend the sessions regularly, it was likely they would give up their attendance altogether.

Mr. Serjeant TALFOURD said, that the whole matter had been fully considered seventeen years ago, and at that period the time for commencing Hilary Term was changed, and the time for holding the Epiphany Quarter Sessions was fixed, under the advice of the late Lord Abinger, then Sir James Scarlett. The Bill proposed by the hon. Gentleman would not prevent senior barristers from attending quarter-sessions, but it would prevent the possibility of their juniors being present at the commencement of term in Westminster-hall. And if there was one thing more important than another with respect to that branch of practice, it was that the gentlemen who had been concerned in cases at the quarter-sessions should have an opportunity of arguing those cases, on appeal, before Her Majesty's Judges in Westminster-hall. And when the hon. Gentleman suggested an alteration in the commencement of Hilary Term, he thought the House would pause before it sanctioned the alteration of an arrangement which had been so well considered, and had been found, altogether, to work so well. Many great and lasting inconveniences would result from any alteration of the present arrangement, to say nothing of prisoners being detained a week longer before trial.

Mr. PACKE, in reply, said, he was free to confess that he did not see the force of the objections which had been urged against the Bill. No man acknowledged the efficiency of the bar more readily than himself, and he should be sorry to promote any measure having the slightest tendency to impair that efficiency. He had hoped to secure, without injury to any party, and without opposition from any quarter, the quiet enjoyment of their Christmas holidays to the magistrates, jurors, prosecutors, and witnesses, called upon to attend the sessions; but finding that he could not effect that object, and having drawn the attention of the House to the subject, he would not further press the Bill.

Bill withdrawn.

Motion negatived.

NEW ZEALAND GOVERNMENT BILL.

The Order of the Day for going into Committee on the New Zealand Government Bill having been read,

The Earl of LINCOLN said, that he was most unwilling to make such an appeal to the right hon. Gentleman opposite (Mr. Labouchere), but he would ask him whether, under all the circumstances of the case, it would be right to proceed with the discussion of the New Zealand Bill at the

present sitting. It would be recollected that when the right hon. Gentleman moved the second reading of the Bill, he appealed to the House whether or no they would allow the Bill to pass its second reading *sub silentio*, on the understanding that the discussion should be taken on going into Committee. The House agreed to the proposition; but could the present be considered a fair opportunity for that discussion? The House met at twelve o'clock on Wednesdays, and adjourned at six, and he would quote an observation made by the right hon. Gentleman, at one o'clock that afternoon, to corroborate his view that the present was not a fitting opportunity for discussing so important a measure. The right hon. Gentleman appealed to the hon. Member for Stroud not to proceed with his Motion on the Irish Poor Law Bill, alleging that it would be inconvenient to raise a discussion on that matter, because the business of the day being only the Committee on the New Zealand Bill, the noble Lord the First Lord of the Treasury and others of the Cabinet Ministers were absent. That was always the case on a Wednesday. Unfortunately the Under Secretary for the Colonies had no seat in that House, and could take no part in the debate; but the subject was one which ought to claim the best attention of the Government. He had no doubt but that the right hon. Gentleman the President of the Board of Trade was fully prepared to meet any objections, and had undoubtedly made himself master of the whole case; but the House would bear in mind that the noble Lord the First Lord of the Treasury was Secretary for the Colonies at an important period in the history of New Zealand, and he should have been present during this discussion. If the presence of the noble Lord was essential when the proposition respecting Ireland was brought on, surely it was equally so when the House proposed to settle the difficult question of a constitution for New Zealand. In 1845, when the subject of New Zealand was last prominently before the House, the discussion lasted nine nights; and he (the Earl of Lincoln) did not think that the condition of the colony was less critical, that its affairs were of more trivial importance, than they were at that period. It was proposed to suspend a constitution which had been granted after the most grave deliberation; and if, after nine nights' discussion, the House had failed in doing all that was requisite for the safety and prosperity of New Zealand, how could they expect now, in the course of three hours, to arrive at any satisfactory conclusion? The right hon. Gentleman would give more satisfaction, and more effectually attain his object, if he were to appoint some night for the Committee on this Bill. The House would then commence at five o'clock, and the principle and details of the measure would receive their due meed of attention. He was confident that the House would never be able to get into Committee with the Bill this afternoon; he was confident there would be preliminary discussion—that certain of the clauses would bring on renewed discussion—and that to attempt to get the Bill through Committee that afternoon was merely wasting the time of the House.

Mr. LABOUCHERE: I had hoped that upon the principle of this Bill there was no serious difference of opinion on either side of the House. With regard to the necessity of suspending the constitution of 1846, after the strong recommendations of Governor Grey, I thought the propriety of such a course was generally admitted. I therefore did think that, the House being agreed upon the principle, the Committee would offer a more suitable opportunity for the discussion of the measure, than the second reading would have afforded. The second reading, although there was little difference of opinion on the principle, was not passed quite so *sub silentio* as the noble Lord would lead the House to suppose. There was an animated discussion, and the tone of that discussion led me to believe that the provisions of the Bill rather than its principles, would form the subject of debate. The noble Lord asks me to postpone the Committee on this Bill. I need not tell the noble Lord, who has had some experience of official life, the extreme and increasing difficulty the Government find in bringing forward for discussion and decision the many important questions which they feel it their duty to submit to Parliament. There are only two nights in the week set apart for Government business, and these nights are frequently broken in upon in a manner which no Government can prevent. The Government find it almost impossible to proceed with the many measures which the country demands and the House expects; and the Government would have been censured for neglect had they not taken advantage of this comparatively unoccupied day for the purpose of going into Committee on the New Zealand

hitherto constituted, or by the adjudication of some court of competent jurisdiction within New Zealand, the right of such aboriginal inhabitants to such lands has been acknowledged and ascertained, or that the claimants or their progenitors, or those from whom they derived title, have actually had occupation of the lands so claimed, and have been accustomed to use and enjoy the same, either as places of abode, or for tillage, or for the growth of crops, or for the depasturing of cattle, or otherwise for the convenience and sustentation of life, by means of labour expended thereupon."

Now, his doubts and difficulties rested chiefly upon the point that the instructions of Earl Grey appeared to confine the titles of the native tribes to cases in which it could be said of land that it had been improved "by labour expended thereupon," and did not extend to lands which natives applied in other ways to their own purposes and for their benefit. Now, he had shown that by the construction hitherto put upon the treaty, they were not justified in imposing such a limitation; but, if he understood aright the view taken by Earl Grey, in the instructions he had just read, the courts of New Zealand would be forbidden giving titles to any land except such as had been improved by labour. This was a very important matter; for, as respected the greater part of the northern colony, there was but little land likely to be available for useful purposes except what was claimed, used, and enjoyed by the natives in that slender but still real sense which he had endeavoured to describe. He would now state, as clearly as possible, what he understood Earl Grey's meaning to be; for he was anxious, if wrong, that his interpretation of the documents he had read should be contradicted. And he could assure the right hon. Gentleman (Mr. Labouchere) that he should be but too happy to find that the meaning was not such as he attributed to it. Earl Grey stated that they should maintain inviolable the titles to all lands that had been recognised by the colonial authorities. Now, he considered that under the provisions of the treaty it was impossible that the precise titles to the land could be fixed. A general principle was laid down, and it was committed to certain tribunals to determine the application of that principle to each particular case. The application of the principle had accordingly been determined in particular cases; in a manner, however, that Earl Grey thought improvident. His instructions in effect were, that they should respect religiously any proceeding of the kind that had taken place, but that they should not consider the treaty in the same sense in future; that in future the natives should obtain tithes to land only in cases where it had been improved by labour. He was sorry to say, that this construction, which he had put upon Earl Grey's language, was confirmed by a document the existence of which he regretted on many accounts—he meant the letter of Earl Grey, dated the 30th of November, 1847, with respect to the Bishop of New Zealand. He did not at present refer to that letter in so far as it was applicable to the conduct of the Bishop; but with regard to the question of titles, he said—

"All that I advised was this—that the theory of the ownership by tribes of unoccupied land should not be made the foundation of any future transactions; and that what I conceive to be the rights of the Crown, that is, of the public (where no engagements to the contrary have been made), should be carefully attended to in the disposal of land wherever no property has yet been recognised."

By the term "future transactions" he must understand Earl Grey, till he was otherwise distinctly and positively assured, to mean that they should adhere to the spirit and principle of his instructions, which, though perhaps open to the charge of some grammatical ambiguity in the language, went upon the principle that improvement by labour was the criterion for granting a legal title to the natives for land. In offering some remarks upon this question as respected the Bishop, he must take the liberty to make an appeal of a very distinct and emphatic description to the right hon. Gentleman opposite. They well recollected that they had some discussion on this subject on a former occasion; and, if he adverted to it now, it was not because he was apprehensive of anything with respect to the character of the Bishop, or that that right rev. Prelate would feel any resentment on account of any reproof unjustly administered to him. He believed he might confidently state that the services of the right rev. Prelate would be freely given to the Government, whether he considered himself to have been well or ill used by them; but he nevertheless deemed it his duty to refer to one point in which the right rev. Prelate had been indisputably, though no doubt unintentionally, subjected to unjust treatment. That right rev. Prelate had presented a protest to the Government, in which he expressed his opposition to the construction put by Lord Grey on the Treaty of Waitangi, and stated that he would assist the natives in assert-

ing and maintaining their legal rights, sanctioned by treaty. Now, a great part of the censure which Earl Grey bestowed on that protest was founded on the supposition that the Bishop published it, and made it known to the natives; and that he did so in the face of the Government. On a former occasion it appeared to him that the Bishop had done no such thing; that the Bishop, believing in the perfect consonancy of view existing betwixt him and the Governor of New Zealand, determined to strengthen the Governor's hands, by putting him in possession of a document containing an expression of his sentiments, which document might be sent to be judged of by the Government at home. Though he had no doubt the Bishop would do all in his power to assist the natives in the assertion of their just rights, yet he believed him wholly incapable of such imprudence as to publish his protest, especially at a moment of such excitement among the whole native population. The right hon. Gentleman opposite was not, on the occasion when the subject was debated, able to say that the Government had any knowledge whatever that the Bishop had published the document to the people. He did not believe that he had done so; and certainly he regarded the offence, as it had been deemed, of sending it to Government, a very different offence from what such a line of conduct would have been. He wanted to know from the right hon. Gentleman opposite whether the Bishop published that protest to the natives or not? It was not in the way of challenge that he asked this, but for the sake of truth and reason. If the Bishop did not do so, then, seeing that the censure of Earl Grey proceeded on the ground that he had done it, it was an unjust censure; and he hoped to live to see the time—perhaps it might be a few weeks, or even hours—when some reparation would be made to the Bishop for a charge which, if true, would have been serious indeed, but which, if not true, demanded the most ample explanation. The right rev. Prelate would have been content to offer no observation, had the noble Earl merely sent out instructions which were founded even on an erroneous impression, if he thought they were not calculated to carry mischief into the colony. But it appeared that on the arrival of the noble Lord's despatch there was great alarm excited amongst the people. And before proceeding further, he would pause to beg the House not to let itself think that the aboriginal inhabitants of New Zealand were a feeble people, easily to be overawed and overthrown by the power of the British empire. He begged of them to remember that with regard to the lives as well as properties and comfort of their fellow-countrymen who were settled in the island, there was considerable ground for fear, in addition to the considerations of the questions of justice or injustice. He took it to be an indisputable proposition, that up to the present moment they had held New Zealand, not by the terror of their arms, or their name; not by the number of their forces, but by the good feeling and attachment of the greater number of the aboriginal inhabitants of the colony. He begged them to bear in mind, that whenever they heard of those disputes that had arisen, the quarrel had always been between a small minority of the aboriginal population on the one side, and a large majority of the same people, together with the British soldiery, on the other. And if those small minorities, opposed as they were by multitudes of their fellow-countrymen, as well as by the British, had given so much trouble, and been able to do so much mischief, let the House and the Government take care what they did that might have a tendency to excite against them the large mass of those people. In the despatch from Governor Grey to Earl Grey, dated in August last, and which was laid before the House yesterday, he wrote thus:—

"In reference to my despatches, of the numbers and dates named in the margin, upon the subject of the excitement which was stated to exist amongst the native population regarding the reports in circulation upon the views which were supposed to be entertained by Her Majesty's Government, regarding the waste lands claimed by various chiefs, I have now the honour to enclose the copy of a letter from Captain Sotheby, R.N., which was forwarded to me a few days since by the senior naval officer upon this station; from which it will be seen that the reports in circulation regarding the intentions of the Government in reference to the waste lands of the natives, together with the recent arrival of troops and pensioners, has created much anxiety in the minds of the natives in the northern portion of this island. I have also to state to your Lordship, that, within the last few days, I have received alarming accounts from various quarters of the island regarding the excitement created in the portions of the country most densely inhabited by the natives, upon the subject of the introduction of the new constitution into this country, and the steps that may be taken regarding the registration of their lands. I am not yet in a position which would enable me to state whether actual insurrection, upon an extensive scale, is to be immediately apprehended; but I cannot now entertain any doubt that the country is in a very critical state. I will lose no time in

taking such measures as are in my power to quiet the apprehensions which at present exist; and I will also delay for some time the introduction of the proposed constitution; but I beg again earnestly to press upon your Lordships the advantages which would result from in so far modifying the proposed constitution, as to leave to the Governor the power of being able certainly to promise the natives that he will enact any measures which they may request as essential to their interest, and which the Governor may also consider to be absolutely requisite to secure the tranquillity of the country. I can assure your Lordship that if the Governor's power is confined to merely being able to negative those measures which he deems objectionable, whilst he has no positively active power which enables him to do that which is essential for the interests of the numerous warlike native population of this country, whose interests will be wholly unrepresented, whilst the small European minority will have such large power of legislation, I can see no hope for the future of this country, and I fear that the prosperity which is now dawning upon it will shortly give place to scenes more gloomy than any which have yet been witnessed here. I trust, therefore, that your Lordship will so far accede to my wishes as to take care that this power is preserved to the Governor for at least the next two or three years. In order that your Lordship may see how rapidly the feeling of insecurity is now spreading, I have enclosed the copy of a letter which I have just received from the chief Ripa, warning the Government that the chief Heke is again likely to break out into insurrection."

But they had the gratification of finding that in one very important part of the island the alarm and excitement had been removed in a great measure. He alluded to the Bay of Islands, where we had had amicable intercourse with the native population. Captain Sotheby stated at page 21 of the Papers presented yesterday, that—

"Through Mr. Meurant, they acquainted me that affairs were very peaceable in the northern districts, and no complaints to make; but said there had been a great deal of excitement on the part of Kiwiti and many of the natives, owing to a report, very widely circulated, that the Government intended to take possession of all uncultivated land, and that more troops had arrived to put such directions into execution. Previous to my arriving, Kawiti had come down with about thirty followers to Waka, to know if such was the case, as he considered it to be in open violation of the Treaty of Waitangi, and in direct opposition to what had been the view of his Excellency the Governor; but Waka eased his mind by telling there was no truth in such report, and which I most fully corroborated. They suggested to me, without seeking it, the propriety of issuing circulars in the native language to contradict it, as it was widely circulated into the interior, and parts of the country not visited by men-of-war or official persons, and where there are many Europeans only too ready to raise dissatisfaction amongst the natives. I had the honour of forwarding a letter to you relative to this matter on the 10th instant."

On turning to the very next page they found that another chief had come down to Captain Sotheby to know whether there were any truth in the report that the Government claimed all land not under tillage, the report having excited great uneasiness and anxiety amongst the natives. And he was told—

"On the authority of the Governor, that such was not the intention, or even the wish, if it were practicable, of the Government, and that no land would be taken excepting with the will and consent of the chiefs, and then granting them a pension; but which kind of remuneration the natives do not seem to understand."

Another chief's anxiety upon the same subject was allayed in precisely the same manner. That was to say, the anxiety of the chiefs had been allayed by the distinct assurance on the part of those who represent the British Crown in the colony that the established construction put upon the Treaty of Waitangi would be respected and maintained. Such lands as they had been using at all were to be sacred to them, and were not to be taken from them except by free sale. He hoped that without detaining the House longer he had said enough to show cause for his putting the questions he was about to put to the right hon, Gentleman opposite. He hoped that the right hon. Gentleman would give him an assurance that would allay his apprehensions and fears for the safety of the islands; and he trusted he had shown sufficient reason to the House for inviting its attention to that important question. He had shown that there was an important construction put upon the Treaty of Waitangi, which was held to have secured the right of property to the natives of all lands from which they derived any benefit, however slender or remote. He had shown that the letter of Earl Grey seemed to have overset that construction, thereby exposing the Crown of England to a just and well-founded charge of breach of faith, and also exposing the colony to fearful hazard. That the consequence of that had been the excitement of fear and alarm in the colony, and the filling the mind of their able Governor with anxiety and apprehension. He had shown how that fear, alarm, and apprehension had been allayed; namely, by convincing the natives that the Treaty of Waitangi, as its provisions were commonly understood, were to be religiously and inviolably maintained; and he therefore hoped he had shown enough cause to the right hon. Gentleman to persuade him that the discussion was not gratuitously introduced

on his (Mr. Gladstone's) part. And he assured that right hon. Gentleman that there was no one to whom he would communicate a more lively pleasure than to him could the right hon. Gentleman give him an assurance that the doctrine laid down by Governor Grey, which would be found at page 16 of the Papers on the subject of New Zealand, presented to the House in December last, was the doctrine upon which it was the intention of Her Majesty's Government to act. In the 16th page of the Papers presented in December, he found the following. Governor Grey, writing to Earl Grey, said—

"I should also observe that the position I understand to be adopted by the New Zealand Company's agent, that if tracts of land are not in actual occupation and cultivation by natives, that we have therefore a right to take possession of them, appears to me to require one important limitation. The natives do not support themselves solely by cultivation, but from fern-root, from fishing, from eel-ponds, from taking ducks, from hunting wild pigs, for which they require extensive runs, and by such like pursuits. To deprive them of their wild lands, and to limit them to lands for the purpose of cultivation, is, in fact, to cut off from them some of their most important means of subsistence; and they cannot be readily and uprightly forced into becoming a solely agricultural people. Such an attempt would be unjust, and it must for the present fail, because the natives would not submit to it; indeed they could not do so, for they are not yet, to a sufficient extent, provided even with the most simple agricultural implements; nor have they been instructed in the use of these. To attempt to force suddenly such a system upon them must plunge the country again into distress and war; and there seems to be no sufficient reason why such an attempt should be made, as the natives are now generally very willing to sell to the Government their waste lands at a price which, whilst it bears no proportion to the amount for which the Government can resell the land, affords the natives (if paid under a judicious system) the means of rendering their position permanently far more comfortable than it was previously, when they had the use of their waste lands, and thus renders them a useful and contented class of citizens,and one which will yearly become more attached to the Government."

The land was not only valuable and important to the natives, as stated by Governor Grey, but it was secured to them under a treaty made by adequate and competent authorities. To this treaty he attached much importance. A slight expression sometimes carried more uneasiness to the mind than an express declaration of opinion; and so it was with him, with regard to a remark made by Earl Grey in his despatch of the 3rd of December, 1846, in which, speaking of the Treaty of Waitangi, he made use of the phrase, "what has been called the Treaty of Waitangi." Whether Earl Grey had an object in describing the treaty in these terms, he knew not; but, for his part, he thought that, as far as this country was concerned, there was not a more strictly and rigorously binding treaty in existence, and he therefore thought it unfortunate that such an expression should have been used. [Mr. Labouchere: My noble Friend merely described the treaty as the treaty known by that name.] He felt that he must really have an ally within the breast of the right hon. Gentleman himself—that the right hon. Gentleman must feel that there was justice in the claim which he had endeavoured to state as belonging to the native population of New Zealand. He was sure that the right hon. Gentleman as well as himself, and, he was convinced, every one in that House, must feel the importance of doing full justice to that noble people, to whom they were so much indebted, and in whom, he would add, the Queen of England had an important body of loyal and devoted subjects.

Mr. MONCKTON MILNES said, the right hon. Gentleman would, perhaps, make the question more clear to the House, if he stated whether his remarks referred to the north or to the south island of New Zealand, or whether he considered that the Treaty of Waitangi referred to both one island and the other?

Mr. GLADSTONE said, that the whole of his remarks referred to the north island alone, and to the north island excluding the south side of it. He might add, that he thought there was no practical difficulty in the case at all, because he believed the natives were ready to part with their claims at a very reasonable price.

Mr. LABOUCHERE: I am aware that strictly I have no right to address the House again, having already, in reply to the noble Lord, offered some remarks to the House on the question before it; but still, I hope the House will allow me, under the circumstances, to make a few additional observations, after the speech of the right hon. Gentleman. I can assure the right hon. Gentleman that he cannot attach more importance than I do to the conduct of the Government of this country towards the natives of New Zealand being characterised by the most perfect good faith, and to all arrangements entered into with them being carried out, not only in the strictest but in the most liberal manner; and that he cannot have a stronger

sense than I have, even irrespective of these engagements, of the Government doing everything in its power to protect the interest and to promote the welfare of these people. If anything could add to my wish that every possible encouragement should be given to the New Zealanders to proceed in their present course of conduct, I think it would be found in the last despatches from that colony, which have been laid on the table of this House within the last few days. I am sure that every hon. Member who has read the interesting accounts there given—who has observed the terms in which Governor Grey, and every person holding an official situation in the island, speaks of the disposition of the aboriginal inhabitants of New Zealand to adopt the habits and pursuits of civilised life—and who has seen how they are now working as labourers under the guidance of white men, making magnificent roads, and engaging in other kinds of labour that would do honour to any civilised country; while the tractable disposition they show, and their readiness to amalgamate with Europeans, are unexampled among any other of the savage tribes with which we are acquainted — must feel as I do on this point. The manner in which they devote themselves to trade, as evinced by the fact that there are, I believe, not less than sixty small coasting vessels belonging to natives of New Zealand, is most praiseworthy; and I am sure there is no one who can view these circumstances without a hope that they will adapt themselves to the habits of civilised life, and without feeling regret that anything should be done to estrange them from this favourable disposition, and to prevent the aboriginal inhabitants of New Zealand from presenting, as I trust they will, a favourable contrast with that which has been almost uniformly the fate of races of uncivilised men, when brought in contact with civilised men. So far, I think, hopes may be well entertained that these aborigines may be gradually amalgamated with the white inhabitants, to the infinite advantage of both races, and, I will add, to the honour of this country. The right hon. Gentleman said, that after the language used by my noble Friend the Secretary of State for the Colonies, on the subject of a question which has undoubtedly given rise to great irritation and great jealousy in that country—I mean the land question—he entertained apprehensions as to the course that will be pursued. I do not think that the expressions which the right hon. Gentleman alluded to justify his apprehensions. I believe that my noble Friend would be quite as reluctant as the right hon. Gentleman himself not to adhere strictly to the terms of the Treaty of Waitangi, or not to concede any just claims the natives might bring forward to particular lands to which they believed themselves entitled. At the same time, I must say, that I think, for the sake of the native inhabitants themselves, no course could be more inexpedient than absolutely to affirm that a proprietory right exists on the part either of the tribes collectively, or individual members of those tribes, to the whole of the surface of New Zealand. Let the House recollect for a moment what the extent of that surface and the number of the aboriginal inhabitants are. There are, I believe, fifty-five millions of acres of land in the two islands, while the whole number of the aboriginal inhabitants does not exceed 100,000 persons. It must also be remembered, that it is not the case in New Zealand as it is in North America and other wild countries, where the native inhabitants subsist by the chase. There were no four-footed animals in New Zealand, except a species of rats, until very recently, and, in fact, the native inhabitants never subsisted by hunting, and they could not therefore be considered to have the same interest in large tracts of land that the aborigines of North America had. Now, how can any one suppose that these 100,000 persons could have rights of property of any sort or kind over such an enormous extent of country? But the right hon. Gentleman has taken the alarm. I think he stated that he did not controvert the general and absolute truth of the doctrines laid down by Earl Grey as to the claims of the aboriginal inhabitants to the soil, as contradistinguished from those of the civilised persons congregated there; but what he seemed to intimate as his opinion was, that we having signed the Treaty of Waitangi, there were some things in Earl Grey's despatches inconsistent with the arrangement then entered into. I do not believe that to be at all the case, nor do I believe that any difference of opinion at all exists between Earl Grey and Governor Grey in their views of the way in which the Treaty of Waitangi should be carried out. If I had intended to justify the conduct of my noble Friend, Earl Grey, I should have read the very passage which the right hon.

Gentleman alluded to with a view to impugn that conduct. After laying down what are the abstract principles on which this question is to be viewed, and reminding the Governor of them—for it is extremely important that the Government should keep in view the general principles in carrying out the details on a matter of this kind—my noble Friend, Earl Grey, proceeds to say—

"It appears to me that you have found it expedient to admit their pretensions to a considerable extent, and that such policy has been attended with no apparent advantages. . . . . I should wish you to understand that, while I would scrupulously fulfil every engagement entered into, I would avoid any further surrender of the property of the Crown."

In the "instructions" transmitted to New Zealand, on the subject of public lands, there was a clause to the effect that no claim to lands within the island, on behalf of the aborigines, should be allowed, unless it could be established to the satisfaction of the court that, either by an act of the Executive Government, or that they had occupied and enjoyed the land so claimed, which became their property by the right of labour expended thereupon. But the right hon. Gentleman said that what chiefly excited his apprehension was the last passage I have quoted. I think, however, that that passage is far from justifying the apprehensions which he expressed, and that it has a bearing of quite a different kind from what he attributes to it. He seems to think that the passage which he read limited the rights of a tribe or individual to the case of land in which labour of some sort has been expended, and that there is nothing to justify the natives in setting up a title against the Crown, or any other proprietors to any land, unless they can prove that they expended labour on that land. Now, I cannot construe that passage in the instructions in the light in which the right hon. Gentleman seems to view it. On the contrary, I think that words are introduced, showing that there are cases in which, though no labour has been expended, the local Government is bound to accede to the claims of the natives. The instructions accompanying the New Zealand charter declare that no claim shall be admitted unless it be established that either by some act of the Executive Government or the adjudication of some court of competent jurisdiction the right has been acknowledged and ascertained, or

—"that the claimants, or their progenitors, or those from whom they derive their title, have actually had the occupation of the lands so claimed, and have been accustomed to use and enjoy the same either as places of abode, or for tillage, or for the growth of crops, or for the depasturing of cattle, or otherwise for the convenience and sustentation of life, by means of labour expended thereupon."

I dissent from the construction of the right hon. Gentleman; and I do not think the words "by means of labour expended thereupon" are to be read in the connexion suggested by the right hon. Gentleman. I conceive that the Treaty of Waitangi is a document which the Executive Government of New Zealand would be bound to take cognisance of; and I do not think that there was any intention entertained of excluding the natives from any *bonâ fide* claims which they could have under it, even though there were no labour actually expended on the land. But I do not think that there is any difference of opinion existing with regard to the principles on which these questions should be settled. I believe that the Treaty of Waitangi should be scrupulously and even largely interpreted. I believe that every fair claim an individual could put forward should be at once liberally conceded towards the aboriginal inhabitants; but I think that for the sake of these inhabitants themselves their claim to the whole country ought not to be attended to. That they should be left immense tracts of country which they can put to no profitable use, could be of no possible advantage to them, but must obviously prove fatal to their best interests, as well as to the interests of all who should go there afterwards. I do not believe that there is any difference of opinion between Governor Grey and Earl Grey on this question. I believe that Governor Grey will carry out the instructions in the same spirit in which they were conceived by Earl Grey; and I entertain sanguine hopes that the good sense and the experience of that eminent person who, most fortunately for this country, is administering the affairs of that colony, will succeed in bringing these most dangerous and perplexing questions to a satisfactory issue. A passage has just been pointed out to me, which serves to show what my noble Friend Earl Grey's views are in the instructions which he has sent out, with regard to this question. At page 84 of the Papers presented in December, he says, in commenting on the conduct of the Protestant Bishop of New Zealand—

"And if the Bishop had consulted the instruc-

tions accompanying the charter, which were published with it, and which really contain the practical directions to the local Government, which my despatch was only intended to illustrate, he would there have found the greatest attention paid to the maintenance of every thing which can be called an existing native right to land, though established in consequence of the prevalence of that mistaken theory which I have combated. The protector of the aborigines is there directed to inform the registrar respecting all lands within his district to which the natives, 'either as tribes or individuals,' claim either proprietory or possessory title; that all such claims shall be registered; and that wherever it shall be shown, either that such lands have been actually occupied by the natives, or that the ownership to such land, although unoccupied, has been recognised by the executive or judicial authorities to be vested in the natives, such claim shall be finally and conclusively admitted."

And, Sir, I will observe that in the despatches which have been very recently received, and just laid on the table of the House, I find this allusion in a despatch from Governor Grey to Earl Grey on this subject. He says—

"These complaints, and the request for the investigation of claims, were made in the districts in which the missionaries are the principal land claimants; and your Lordship will see that Captain Sotheby states that some of the young men spoke in a most determined manner, and threatened to take the law into their own hands. Captain Sotheby's observations quite accord with all the information which has reached me from other sources; and I can only trust that my being able shortly to conclude some definite and amicable arrangement with the land claimants in the north may for ever set these exciting questions at rest."

I think this passage shows that Governor Grey had a confident belief, that under the instructions which he received he would be able to bring these matters to a final and satisfactory issue. I will now proceed to make a few observations on another part of the subject, which is more immediately connected with the question before the House—the Bill on which we now propose going into Committee. The right hon. Gentleman says that the Bill may be divided into the enacting portion and the suspending portion. As I understood the right hon. Gentleman, he generally approves of the enacting portion of the Bill, but that with regard to the suspending portion of it—that which leaves it at the discretion of the Governor to act when he thinks right in introducing the constitution either into a part or the whole of New Zealand—he is of opinion that it would be better entirely to repeal that constitution. Now, I do not think that such a course would be an advisable one. What is the situation of the House as regards this question? This House deliberately and after full discussion did enact a Bill by which it gave free representative institutions to the inhabitants of New Zealand. It did happen, as was not unlikely in legislating for so distant a country, that the Governor of New Zealand expressed great apprehensions as to bringing the constitution into effect at the present moment; but I should be sorry that Parliament, having pronounced so deliberate an opinion on a point on which it is competent to pronounce one, should now take any part that would have the effect of throwing doubt on a question that was considered as having been settled. The Governor has five years, during which he may at his discretion introduce these institutions. These five years will doubtless give us sufficient experience on the matter, and in that time the whole question may doubtless come before the consideration of this House. But my expectation and hope is, that long before that period will have elapsed, the Governor will have communicated with the natives, and having taken such other measures as may be advisable, will see a proper opportunity for introducing these or similar institutions into both islands, or at least into that portion of them that he will think best adapted for the purpose. I think it is a much more expedient course to leave that discretion to him, than for this House now to repeal a measure which after due consideration thsy have enacted. There is one question more to which I refer with pain; but since the right hon. Gentleman alluded to it, it is necessary that I should say one or two werds upon it—I mean the conduct of the Bishop of New Zealand. It is with sincere pain that I again refer to that subject. The right hon. Gentleman has, I think, asked me whether any additional information has been laid before the Government with regard to the conduct of the Bishop, and whether we know of his having taken any means for extending his opinion amoug the natives on the question of land? [Mr. GLADSTONE: Whether the protest was addressed to the natives or to the Government?] In reply, I have to state that there has been no information whatever received by the Colonial Government on this subject since I last addressed the House upon it. But I beg to remind the right hon. Gentleman that the Bishop of New Zealand, in sending this protest to the Government at home, distinctly announced that it was his intention to excite

the dissatisfaction of the natives with regard to the course which he understood the Government was disposed to take on this subject. I think nothing can be plainer than the language which he used, that he would do his utmost to inform the natives of New Zealand of their rights and privileges as British subjects, and to assist them in asserting and maintaining them; and he takes it for granted that these rights are inconsistent with the course which the Government chose to take. I beg to express the most sincere respect for the Bishop of New Zealand, for though I do not know him personally I know him from character; but I must say that, considering the important station occupied by the Bishop, my noble Friend, who is responsible for the peace of that colony, on hearing from the Bishop that it was his intention to agitate this question among the natives of New Zealand, was bound to state his opinion of that proceeding. An intention of this kind having been formally and officially communicated, through the Governor of the colony to the Secretary of State for the Colonial Department, I adhere to my opinion that my noble Friend would not have done his duty if he had not told the Bishop that he thought his proceedings very wrong. And this expression of my opinion is quite consistent with the respect I wish to pay to the right rev. Prelate, for whose personal character I entertain the highest regard. I hope the right hon. Gentleman will be satisfied that there is no intention on the part of the Colonial Office to interfere with or take any course upon the question of waste lands in New Zealand, inconsistent with the rights guaranteed to the natives of that colony under the Treaty of Waitangi, or inconsistent with the most liberal and fair dealing. With regard to the other questions to which reference has been made, I think the House will do well to trust to Governor Grey, whose conduct has shown how much he is to be relied upon for prudence, discretion, and firmness, the ample discretionary powers proposed to be given to him. The principle of this Bill is the suspension of the constitution of New Zealand, but at the same time to enable the Governor, at any time he may think fit, to introduce the constitution either wholly or in part. I believe that, placed as we are at a great distance from the colony, it is much wiser to trust to the discretion of one man upon the spot than it would be to lay down the precise period when it would be right to introduce the constitution. I hope, therefore, that the House will not take any step which shall throw any doubt upon the propriety of that course, as was expressed when the New Zealand Bill was before it upon a former occasion. As soon as it can be done, consistently with the safety and well-being of all the races in the colony, they will receive the blessing of free institutions. If this House act in this manner, and if their intentions be carried out—as I am sure they will be —with prudence, circumspection, and firmness by Governor Grey, my firm belief is, there is the fairest prospect of your seeing the blessings of free institutions enjoyed alike by the British settlers and the aboriginal inhabitants, and that we may hope to see this valuable and important dependency of the British Crown flourish, at no distant period, as a united, a happy, and a free community.

Sir E. N. BUXTON said, that on a former occasion he had expressed an opinion that the Bishop of New Zealand was perfectly right in taking the part of the natives when he believed that they had suffered wrong; and that whether he could carry out his intentions in such a way as not to injure the Colonial Government was a question on which the House was then unqualified to decide. He now held in his hand incidental evidence that the right rev. Prelate had not, at all events, lost the confidence of the Governor. In a recent communication to the Bishop, the Governor said, "Your Lordship has often aided me in my difficult duties in this country; would you do once more to this extent?" And then the letter went on to beg the Bishop to use his influence to induce the missionaries of the Church of England to accept what the Governor considered fair terms, in reference to their grants of land; which terms they had since accepted. He must also say that the strong—perhaps he might almost say the excited—opinion of the Bishop respecting the new charter transmitted to New Zealand, was not singular, for he (Sir E. N. Buxton) had letters in his possession from missionaries belonging to the Wesleyan body, speaking as strongly as language could express it, their dread as to the new charter. He might have selected some passages from these letters; but the expressions contained in them respecting the charter were so strong, that he assured the House the Secretary of the Wesleyan body had waited upon him to request that he would not read them. None

of these missionaries held any land in the colony. And not only were the Bishop and the missionaries united on this subject, but other gentlemen, of the highest consideration, and of all classes in New Zealand, concurred in putting a similar construction on the charter. He had heard much of what had fallen from the right hon. Gentleman (Mr. Labouchere) with great satisfaction, for he had expressed strongly, and as it appeared to him with great wisdom, the determination of the Government that the Treaty of Waitangi should be maintained fairly and liberally. All that he could have wished to hear further from the right hon. Gentleman was, that in considering the meaning of the Treaty of Waitangi, Her Majesty's Government would consider the meaning attached to it by the Secretary of State who desired it to be carried into effect, as well as the opinion of the Governor who carried it into effect on the one part; and by the natives who were the other parties to it. In a despatch dated August 14, 1839, from Lord Normanby, then Secretary for the Colonies, his Lordship, addressing Governor Hobson, said—

"It will be your duty to obtain, by fair and equal contracts with the natives, the cession to the Crown of such waste lands as may be progressively required for the occupation of settlers resorting to New Zealand."

"Waste lands!"—not cultivated or occupied lands. Such were the views of Lord Normanby in 1840. In a despatch dated December 9, 1840, the opinion of Governor Hobson was stated, that—

"The treaty must be regarded as the fundamental law of the country, and must be so interpreted as to harmonise with the other laws of New Zealand relating to like subjects."

The fact, therefore, appeared that Lord Normanby expected that the Government meant to acquire no territory as claiming the sovereignty of New Zealand. Sir R. Peel, speaking in 1845, said—

"There is no claim here to possession of territory in consequence of sovereignty."

They had the sovereignty minus the land; they gave up the land when they claimed the right of sovereignty. He trusted, then, that in dealing with the natives, the Government would deal with them according to the meaning which had always been attached to the Treaty of Waitangi. Lord Stanley, in proposing a land-tax of 2*d.* per acre, stated, that it was intended to apply to all lands; but the Government was not likely to tax lands which belonged to itself, or to induce a forfeiture of that which was already theirs. Such was the construction put upon the treaty by the natives at the present time. From the papers just printed, it appeared that the greatest alarm had been created among the people, lest their lands should be taken from them; and, undeniably, their opinion was that there was a title on their part to the possession of all the lands in the northern island. It was notorious to those acquainted with the country, that the New Zealanders did put a value on their land; and, though they might use it only for "pig-runs," they were ready to enter into war rather than give up what they considered their own. He trusted the Government would act fully on those excellent principles which the right hon. Gentleman had enunciated, and according to the interpretation of the treaty now brought under their notice. He trusted, then, that in spite of the influence of the New Zealand Company, which was so ably represented in that House, they would act upon those principles of justice which had been so well laid down; for if they would only do that, it would be found that peace and security would be easily maintained in New Zealand.

Mr. AGLIONBY was induced to rise principally by the concluding observation of the hon. Baronet who had just sat down. He had the honour to belong to the New Zealand Company, of which the hon. Baronet had expressed his fears, and whose position, complaints, and claims had so frequently engaged the attention of the House. From the moment he became connected with that Company, which was not until some years after its establishment, he had seen nothing in its proceedings to make him regard with anything but pride and pleasure his joining so many public-spirited men—men of as high feeling in that respect as any in the country. He begged to inform the hon. Baronet, of whose kind feelings and general philanthropy no man had a higher opinion than himself, that he was at perfect liberty to enter upon a close investigation of the affairs of the Company; and if he did, he would find that fears had been excited and remarks made with regard to the Company by interested and turbulent persons, which were not justified by the facts. If the hon. Baronet would make the investigation, all the information in the possession of the Company should be placed at his disposal. There should be no secrecy whatever. At the same time there were

strong differences of opinion between the hon. Baronet and himself upon the very material point of the construction given to the Treaty of Waitangi. The arguments of the right hon. Gentleman opposite (Mr. Gladstone), and those of the hon. Baronet (Sir E. N. Buxton), were pointed to the conclusion that the whole of the lands in the island, without distinction, occupied, possessed, and waste, were the property of the natives as against all the rest of the world. That was, they belonged to the natives because they were born there, or because they had eaten somebody who had possessed the lands before. The phrase used in the treaty was "beneficial occupation." He (Mr. Aglionby) took it that in common acceptation the words "beneficial occupation" meant the enjoyment of the lands for necessary sustentation, or some practical benefit. An ideal occupation could not be a beneficial enjoyment. The noble Lord the Secretary for the Colonies, in his despatch regarding the Bishop, referred to this very point: he did not use the phrase "expenditure of labour," but "actual occupation." By "actual occupation," he did not mean, nor did he believe the noble Earl meant, to exclude from the natives' possession lands which they did not till, because there were considerable portions of land connected with the sea and with inland rivers, of which as fishermen they had the beneficial enjoyment not included in the Treaty of Waitangi, and upon which they had not expended labour. He apprehended these portions were not to be taken out of their possession. He, therefore, wished to call the attention of the House to the construction put upon the Treaty of Waitangi, the same year it was signed, and before there were any discussions on the subject. The expression in the treaty was "possessed by the natives either as tribes collectively or individually." Now, what were the people to understand by "possession?" Why, in the whole of the middle island, which was as large as England, there were not more than 1,200 inhabitants; and what did they possess? According to the hon. Baronet (Sir E. N. Buxton) they possessed the whole of that island. That, indeed, was a point openly and publicly advocated in the colony itself by those who were very well-meaning men, but ill judges of the interests of the natives themselves. Could it be supposed that the Treaty of Waitangi, supposing it to apply to that island, gave a right and title to the whole of the island to its 1,200 inhabitants, to the exclusion of every other people, England having been clearly the discoverer of the place? Such an idea was not only contrary to the principles of political economy, but to the principles of religion. What was the condition of those islands, which had led to their colonisation by this country? The fact was, that from the time of Captain Cook's discovery the natives were decreasing in numbers, owing to wars among themselves, which could not be contests for territory, because they did not want it, but which were carried on for the gratification of cruel and savage propensities. Tribes were destroyed and eaten by their conquerors. It was a matter of humanity to colonise that country for the advancement of civilisation and Christianity. The conquerors left the land unoccupied. Was it to be said that, under such circumstances, the people of this country should be prevented from applying their enterprise and capital to those islands, due care being taken of the interests of the natives? Much had been done to extend education and religion among them, and they were now becoming gradually absorbed in a more civilised population. With reference to the construction of the Treaty of Waitangi, it was important to look at the language used by Lord John Russell in November, 1840—the treaty having been made in the beginning of that year. In an official document of that date, the noble Lord used the expression, "grants of waste land to us belonging." The noble Lord evidently did not understand the treaty as recognising the whole land as the property of the natives, because he referred to large portions lying within the island as belonging to the Crown. He begged leave, before he sat down, to call the right hon. Gentleman's attention to the distinction which he (Mr. Aglionby) drew some time ago between the southern settlement, which was founded under the auspices of the New Zealand Company, and the northern district of the island. The observations which he then made were not reported, and he was blamed out of doors for not making them. What he said with regard to the settlements in Cook's Straits and the Middle Island were fully borne out by Governor Grey, who said, in the first page of his despatches, which formed the foundation of the present Bill—

"I am not then at present aware of any circumstances which need prevent the immediate introduction of representative institutions into that

colony, which would comprise the settlements in Cook's Straits and in the Middle Island. All questions of a vexatious nature between the Government and the settlers in that part of the colony have now been finally set at rest; and, with a considerable acquaintance with British settlements, I can have no hesitation in recording it as my opinion that there never was a body of settlers to whom the power of local self-government could be more wisely and judiciously entrusted, than the inhabitants of the settlements to which I am alluding."

Without wishing to raise any discussion upon that part of the subject, he had thought it right to read to the House that testimony to the character of those settlers. He trusted the House would now proceed with the Bill.

MR. CARDWELL would not be tempted by the speech of the hon. Gentleman who had just sat down to enter into any discussion upon that long-vexed question—the interpretation which was to be placed upon the Treaty of Waitangi. Upon former occasions, when discussing that question, he had taken a different view of the subject from that entertained by the hon. Gentleman; and he wished now to say that subsequent reflection had not at all tended to satisfy him that the legal construction then adopted by nearly one-half of the Committee — with but a bare majority in their favour — was in any respect erroneous, neither had the occurrences which had since taken place in the colony tended to create in his mind the smallest impression that the practical well-being of that colony had at all been advanced by the construction which unfortunately was put upon that treaty by the majority of the Committee in 1845. But having said that, he did not think it would be right again to occupy the time of the House by entering into long legal arguments, to which justice only could be done when the House was expressly prepared to sit upon the question judicially. The question now arose in a purely collateral shape, and he thought it would be an unfair intrusion upon the House longer to occupy its attention with that subject. His right hon. Friend (Mr. Gladstone) had only interrupted the Speaker's leaving the chair for the purpose of obtaining satisfaction upon two particular points —the one a purely personal question, in which it was important to see that justice was done to a highly-respected individual; the other, a great public question affecting the destiny of the whole island of New Zealand. With regard to the first question, he regretted to say that the answer of the right hon. Gentleman the President of the Board of Trade was unsatisfactory to his (Mr. Cardwell's) mind. The question was, whether or not the right hon. Gentleman charged the Bishop of New Zealand with having been guilty of creating agitation in the island, and endeavouring to excite the minds of the natives in opposition to the existing Government. The right hon. Gentleman read from the Bishop's protest the following passage:—

"It is my duty also to inform your Excellency that I am resolved, God being my helper, to use all legal and constitutional measures, befitting my station, to inform the natives of New Zealand of their rights and privileges as British subjects, and to assist them in asserting and maintaining them."

But the right hon. Gentleman stopped short there. He rose for the purpose of reading to the House the words which immediately followed:—

"Whether by petition to the Imperial Parliament, or other loyal and peaceable methods; but that, in so doing, I shall not forget the respect which I owe to your Excellency, nor do anything which can be considered likely to add to the difficulties of the colony."

That was the whole question. The Bishop —whether rightly or wrongly he would not then inquire; and he might argue that, perhaps, some other day—felt it to be his duty, as the head of the whole missionary body—and he believed that those missionaries even who were not under his episcopal superintendence did act with him in harmony upon that subject — to represent a particular case, and to make a protest to the Governor. If he had done it as an agitator amongst the natives, he would be the last person to vindicate him; and that was now the actual question. The right hon. Gentleman said there was no information from the colony upon that point; but he contended that there was ample negative information. The Bishop's protest was dated July. They had since received the fullest information as to the state of the colony up to the first of October, three months afterwards, and there was not one word from the Governor as to any ill-feeling having been occasioned by that protest. He considered this a most ample and conclusive testimony that the Bishop had not been guilty of the charge imputed to him. The other and more important question to which his right hon. Friend (Mr. Gladstone) had referred was, in what sense and spirit did the Government intend to carry out the Treaty of Waitangi? Did they intend to observe the treaty in the sense put upon it at the

time by those who made it; or were they going to break it, or to explain it away, and get rid of it by a side wind? The right hon. Gentleman, being pressed upon the point, was obliged to include the Treaty of Waitangi amongst the acts of the Executive Government of New Zealand. That was to say, that a treaty made by the chiefs on the one hand, and by the missionaries, on behalf of Queen Victoria, on the other, and in virtue of which we became possessed of New Zealand, was to be construed as the act of an Executive Government which was not then constituted. So far from being one of their acts, it was anterior to the existence of the Executive Government, and was that on which the existence of the Executive Government depended. However, the answer of the right hon. Gentleman might be taken to be satisfactory in the main; for he said, whatever might have been the instructions of Earl Grey in 1846—whether they were consistent with the interpretation which he put upon the Treaty of Waitangi or not—that was not the question—the Government highly approved the conduct of Captain Grey in reference to that treaty; that the Government were responsible for the peace of the island, and intended to act on the principles which had been laid down by Captain Grey. If that were the intention of the Government it was satisfactory, and it would go out to New Zealand as a message of peace, operating upon the chiefs as Captain Sotheby's assurance to the same effect had already operated. According to Captain Sotheby's report there had been a great deal of excitement among the natives. Captain Sotheby said—

"Through Mr. Meurant, they acquainted me that affairs were very peaceable in the northern districts, and no complaints to make; but said there had been a great deal of excitement on the part of Kiwiti and many of the natives, owing to a report, very widely circulated, that the Government intended taking possession of all uncultivated land, and that more troops had arrived to put such directions into execution. Previous to my arriving, Kiwiti had came down with about thirty followers to Waka, to know if such was the case, as he considered it to be in open violation of the Treaty of Wastangi, and in direct opposition to what had been the view of his Excellency the Governor; but Waka eased his mind, by telling him there was no truth in such report, and which I most fully corroborated."

And again, Captain Sotheby reported:—

"I desired Mr. Meurant to acquaint the native chiefs, Tupe and Kururoa, of my arrival, and begging they would repair on board the ship the following morning, which the former did, and who, I regret to say, appeared in a very precarious state. He expressed much satisfaction that his Excellency the Governor had sent a man-of-war to visit them, particularly at the present time, as he wished for information to know whether there was any truth in the report that the Government claimed all land not under tillage, which had created much uneasiness and anxiety on the part of the natives. In the presence of Tomati Waka, through the interpreter, I gave him to understand, upon the authority of his Excellency the Governor, such was not the intention or even the wish, if practicable, of the Government; and that no land would be taken excepting with the will and consent of the chiefs, and then granting them a pension, but which kind of remuneration the natives don't seem to understand. He said if land was required it must be paid for, but several times expressed his wish to live peaceably."

That was the point upon which the question of peace or war with the natives would turn. All he wanted to know was, whether the Government was going to act in that spirit. He understood the right hon. Gentleman to say emphatically that it was. If so, they would have peace in New Zealand, and he trusted that the improvements which the right hon. Gentleman alluded to towards the conclusion of his speech, might be fairly anticipated. Now, with regard to the consequences of this important question. The hon. Gentleman who spoke last (Mr. Aglionby), reviving some of the feeling which used to be exhibited formerly, stated that the New Zealanders had derived their title to the land from having eaten its former possessors. The papers before the House, however, stated that these natives had been able to maintain a gallant stand in action against the regular troops of the Queen; and instead of eating our soldiers when any unfortunately were killed, what said Colonel M'Cleverty?—

"The body of Private Weller, of the 58th Regiment, was found and carried away by the enemy, who read prayers over, and buried him at Aramoho, without degrading mutilation."

As the precise question before the House was whether the Speaker should leave the chair for the purpose of considering the proposed Bill in Committee; as they had now done justice to the position of the Bishop in regard to the protest which he had addressed to the Governor; and as they had ascertained from the Government the spirit in which they intended in future to carry out the Treaty of Waitangi, he thought it would not be proper to offer any further opposition to the Bill at once going into Committee.

The Earl of LINCOLN thought the right hon. Gentleman (Mr. Labouchere)

would see that the suggestion which he had made to the House two or three hours ago, in no unfriendly spirit, might have been wisely adopted. He (Lord Lincoln) had told him that it would be impossible to make any practical progress with the Bill on that occasion, and that it would be absolutely necessary to have a discussion on it upon a future day. They had now had a discussion; but with the exception of some incidental observations, there had been no discussion whatever upon the Bill itself. The whole debate had turned upon two very important points—one, the waste lands' question in New Zealand, and the other a personal matter relating to the Bishop of that colony; but whether it was right to pass a Bill suspending the constitution of New Zealand for five years, they had not at all considered. He intended to have addressed the House at some length upon the provisions of the Bill; but he thought it would not be convenient to commence such a discussion as that at five o'clock in the evening, when by their Orders they were obliged to adjourn at six; and, under these circumstances, he would suggest that the Chairman should now take the chair *pro formâ*, with the view of reporting progress; and that the discussion upon the Bill should be taken upon some future stage. He at any rate would not commence this discussion at present, but should take advantage of the next opportunity of the Bill coming before the House.

Mr. LABOUCHERE was very far from accusing the noble Lord of wishing to disturb the business of the House; but he could not consent to postpone going into Committee. He was sorry to think that the noble Lord meditated any opposition to the Bill; but he thought that any observations upon the question of the suspension of the abolition of the constitution could be made quite as well when discussing the clauses of the Bill in Committee.

The Earl of LINCOLN objected to raising the discussion upon which he wished the House to enter in Committee. If it was the wish of the House to go into Committee he would not oppose it; but he thought it fair to give notice that, if they did so, he intended to raise the discussion to which he referred upon the bringing up of the report, and that he reserved to himself the right to move any Amendments on the report which he should find to be necessary.

Mr. F. SCOTT joined with the noble Lord in hoping that House would not go into Committee at that hour of the evening. The real object which they had at heart was the colonisation of New Zealand; and if they hoped to colonise successfully, they must do it on the principle of justice and equity, and must place a fair and liberal interpretation upon a treaty entered into by two distinct contracting parties, each understanding the nature of the contract into which they were entering. They were not sitting there as a court of justice to determine what beneficial occupation was; but, acting upon the spirit of the treaty which was before them, they were bound to legislate. The last despatches laid before the House told them that the natives kept large tracts of ground for the cultivation of the fern root, and that during the last year, in consequence of the failure of the potato crop, similar to that which had visited us, they were reduced to the consumption of the fern root. As to the protest of the Bishop, there was additional evidence of Earl Grey taking a somewhat limited view of what were the rights of the natives, in the judgment which was given by the Supreme Court of New Zealand on the subject, in reference to which Earl Grey, in the last despatch in reply to the Bishop, said—

> "The able and important judgment transmitted to me in your despatch of July last, establishes on the highest legal authorities both of this country and America, that the views I expressed are those which, for nearly 300 years, have been uniformly recognised and acted on by the consent of civilised nations."

That document was a legal opinion given by a judge in the country on a subject on which he was not competent to decide. It was a question between two individuals, British subjects; and then, by a forced inference, the judgment which was to decide upon the merits was brought to bear upon the general question. The great hazard of proceeding thus hastily to legislate on so important a subject, was sufficiently evinced by the consequences which had already taken place. Already an Act of Parliament had been sent out to settle these lands, and to establish a constitution. It no sooner arrived, and the Governor was called upon to enforce it, than he wrote home entreating the Colonial Office to pause before they called upon him to enforce an Act of Parliament which he felt sure would create lasting disturbance of very great magnitude within the colony. He entreated the House not to act hastily in this matter. Would it not be infinitely

better, instead of attempting to go into Committee at this time, on a subject of this great importance, to postpone the consideration of it until they could really learn whether the provisions of the Bill were of a nature that were calculated to serve the purpose for which it was intended? It was not merely a question whether the constitution should be suspended for five years or for a longer period; the question was, whether the colony was in a condition to receive such a Bill, and whether it would not be better to omit altogether the enacting part. On the whole, it would be better to suspend the Bill till another day.

Mr. ADDERLEY believed the constitution to be that of universal suffrage, checked by the qualification of reading and writing the English language; but the present was a hasty mode of proposing its suspension. It was too important a matter to be dealt with in the way which was attempted. If any proof were wanting of this, there could be none greater than the fact, that the question before the House being the second reading of a Bill for suspending the constitution, the whole debate had turned on two other questions, viz., the conduct of the Bishop, and the Treaty of Waitangi. He therefore hoped that the question might be raised in a manner more fitting the importance of the subject, and that the right hon. Gentleman would allow the discussion to take place before the Bill went into Committee.

Mr. CHISHOLM ANSTEY differed from the hon. Gentleman who had just sat down. He did not think the discussion of the Treaty of Waitangi foreign to the Bill now before the House; on the contrary, he believed that it was raised on every one of those clauses which related to the land question. If the question was to be settled on views of international law, some reference should be had to the laws of real property under which, for so many centuries, the New Zealand tribes had transmitted their lands from generation to generation. He thought that our character in the eyes of foreign States, and particularly in the eyes of those possessing a semi-barbarous population, was already low enough, and he was not minded to assist Ministers to degrade it still further. He should oppose the adoption of as much of this Bill as related to enactments. He was clear that upon the present state of our information this question of occupation and property, with which this Bill proposed to deal, should be determined with a due regard not only to treaties, but to the peculiar law of New Zealand, viz., the customs of the New Zealand tribes, and the law of the English colonist. Without that undertaking he should oppose the adoption of the enacting clause of the Bill; and, to give the right hon. Gentleman time to deliberate and determine as to the course which he was prepared to follow with respect to those clauses, he should now move that the House go into Committee on this Bill this day week.

Motion not seconded. The House went into Committee.

Mr. GLADSTONE said, that he did not intend to offer any obstruction to the Bill or any part of it; but as to the question of suspending or repealing the present constitution of New Zealand, he would take further time to consider it; and if he felt it his duty to propose an Amendment, he would take an opportunity of giving notice of it.

Mr. HUME thought the suspension for five years was too long a period, and proposed three years.

Mr. LABOUCHERE objected to make the alteration which his hon. Friend proposed. Considering the distance this colony was from the mother country, five years was not too long a period to suspend the constitution. If at any time within the five years it should appear expedient to Earl Grey to bring within the constitution the whole or part of the country, he would be able to do so. All that the Bill did was to lay down five years as the maximum time during which the constitution could be suspended, without the Government being obliged to come to the House for the purpose; and he thought on these grounds that five years was a better term than three years.

Mr. AGLIONBY observed, that the original intention of the Government had been to grant to the southern portion of New Zealand a constitution immediately, and to the northern portion the same boon after the lapse of two years. The change in this view had been caused by the strong representations of Governor Grey; but he (Mr. Aglionby) did not think that the recommendation of that officer would at all warrant the suspension of the constitution with regard to the south for so long a period as five years. There were no complaints whatever in respect to the conduct of the inhabitants of that part of the colony; they were admitted to be peaceable and orderly, and it was not maintained

that they were at all unfit for the exercise of the privileges which it had been proposed to intrust to them. He apprehended that, notwithstanding this Bill, there would still be a discretionary power with the Governor to curtail the period of five years, so far as concerned the southern settlements, if he saw no danger in such a course; and it would further be in his power, if he (Mr. Aglionby) understood the measure aright, to make such alterations and modifications in the original charter as he might think necessary. There could be no question that Governor Grey would exercise such a power with great discretion; and he begged to ask the right hon. Gentleman if that power should not rest with the Governor?

MR. LABOUCHERE referred the hon. Gentleman to the fourth clause, wherein it was stated that the Governor of New Zealand would have the power, if he should think fit, to introduce a constitution to one, while he withheld it from another portion of the colony. It had been thought advisable to intrust the Governor with this discretion, and it was a point on which it would be better to leave everything to his own judgment. It might be, that the appearance of partiality would cause great excitement, and be productive of very serious consequences to the peace of the colony; but if, without danger, a constitution could be granted to the south within the period of five years, there would be no obstacle whatever placed in the way of the Governor making the concession. With regard to the other point adverted to by the hon. Gentleman, the Governor would not have power to alter the charter, but would be able, by an ordinance of the Legislative Council, to make those Amendments which might be necessary to the good government of the colony.

The EARL of LINCOLN thought, as the right hon. Gentleman had insisted on going into this piecemeal discussion, that he should at least not have given answers which were not borne out by the Bill itself. He sincerely regretted, on every ground, that there was no representative of the Colonial Office in that House. The right hon. Gentleman had taken his information from the Attorney General; but was he quite sure that the answer he had just given was accurate? Was it a fact that under the fourth clause the Governor of New Zealand would have power to grant to the south provinces that constitution which it was the object of the first clause to suspend? He (Lord Lincoln) apprehended there was no such power whatever; under the fourth clause the Governor would be empowered to grant a Legislative Council; but that was by no means the sort of constitution which they were about to suspend. The right hon. Gentleman, therefore, was misrepresenting his own Bill. If this Bill passed, the Queen in Council only would have power to renew the constitution.

MR. C. BULLER considered that the reply of his right hon. Friend to the question put by the hon. Member for Cockermouth was strictly correct. Undoubtedly the discretionary power of renewing the constitution was left to the Governor; that was to say, that he would be able to do so by and through a Legislative Council nominated by the Crown. Under the fourth clause it would be in the power of the Governor, at any time, being so advised, or taking it on his own responsibility, or instructed by the Colonial Secretary, by and with the advice of the Legislative Council, to constitute, by ordinance, a provisional legislative council, "to be nominated or elected." Supposing, therefore, at the end of two or three years, the Governor thought that the southern or the northern provinces were in a fit state to receive free representative institutions, under this clause, as he (Mr. Buller) took it, he would have power to propose an ordinance to his council, constituting provincial legislative councils to be nominated by him, or to be elected by the people or by the municipalities.

The EARL of LINCOLN thought, that the right hon. Member had answered in a lawyerlike manner, and rather evaded the question. That which he desired to know was, whether, if the constitution were suspended in the northern portion of New Zealand, there was a power under the Bill to enable the Governor to establish the constitution in the southern portion? He would ask the Attorney General if it was his opinion that the first clause of this Act gave a power to the Governor to restore the constitution in one province of New Zealand, whilst it continued suspended in another. For his part, he (the Earl of Lincoln) was of opinion that the constitution was to be suspended for five years, unless the Queen in Council directed the contrary.

The ATTORNEY GENERAL said, that the noble Earl had accused his right hon. Friend of taking a lawyerlike view of the case; but in his opinion the noble Earl took a special pleading view of the Bill.

The constitution which this Bill proposed to suspend, provided that there should be one general assembly of the whole country, and two legislative assemblies, elected by the two different provinces. It appeared that both provinces were not equally fit for this election of a legislative assembly; and, therefore, it was impossible to have the general assembly, if there were to be but one legislative assembly elected; but the Bill went on the basis of unlimited confidence in the Governor as to giving a legislative council to either province, as he might deem expedient, the council to be appointed or elected as he thought fit, or, if he wished, some might be appointed and some elected.

The EARL of LINCOLN said, that the first clause repealed the provisions of the Act which gave two legislative assemblies. Did the Attorney General say, that under that clause there would be a general assembly?

The ATTORNEY GENERAL stated, that the constitution which was to be suspended, provided for a House of Lords (the general assembly), and two Houses of Commons (the legislative assemblies); the latter to be elected by the two different provinces of New Zealand. The general assembly was to be composed of members of the legislative assemblies, elected for that purpose by the legislative assemblies; and therefore, as long as there were not two legislative assemblies, there could not be a general assembly according to the constitution of 1846.

House went into Committee *pro formâ*, and resumed. Committee to sit again.

House adjourned at Six o'Clock.

HOUSE OF LORDS,

Thursday, February 10, 1848.

MINUTES.] *Took the Oaths.*—Viscount Beresford.

Sat first.—Earl of Harrowby, after the Death of his Father.

PETITIONS PRESENTED. By Earl Fitzhardinge, from Free Electors, and Inhabitants of the City and County of Bristol, and from the Unitarian Congregation of Oldbury, near Birmingham, for the Removal of Jewish Disabilities.—From Archdeacon and Clergy of the Deanery of Dorset, against the Admission of Jews into Parliament.—From Dean and Chapter of the Diocese of Ardfert, for Alteration of Law respecting Poor Rates (Ireland).—By Earl Fitzwilliam, from the St. Andrew's and Quebec Railroad Company, praying that a Loan may be Granted by Government for the Purposes of the said Work.—By the Earl of Clare, from the Chamber of Commerce of Limerick, against Alteration of the Navigation Laws.

IRISH POOR LAWS.

EARL FITZWILLIAM, according to notice, moved for a return of all the unions in Ireland where the boards of guardians had been superseded, and paid officers appointed. The noble Lord was understood as supporting his Motion on the necessity of examining the operation of the clause of the Act which gave this power of appointing paid guardians; the administration of the law being extremely difficult in Ireland, where the system had been introduced for the first time.

The MARQUESS of LANSDOWNE had no objection to granting the return. He entirely agreed with the noble Earl that the extent to which it had been necessary to call into operation this part of the Act, required watching with particular attention. There had been no undue disposition on the part of the Commissioners to exercise this power; it had been principally applied in two cases—that of very large unions, and where the guardians themselves had desired to be relieved of their duties, from a conviction that strangers would discharge them more efficiently, as being less liable to charges of partiality. The Commissioners had received instructions to use the utmost caution in the selection of the paid officers, and he had no doubt those instructions had been carried out. He bore testimony to the readiness with which the Irish proprietors, with some exceptions, had seconded the endeavours of the Government to provide employment for the people, by applying for loans for the improvement of the land under the Act of last year. The amount applied for was 2,460,000*l.*; of these 896 applications, amounting to 1,068,250*l.*, had been sanctioned by the Government. The noble Marquess concluded by expressing his conviction that the Poor Law Commissioners would use their utmost efforts to bring back the practice in relation to the relief of the poor to a system more consistent with the genius and spirit of the constitution. He had not the slightest hesitation in agreeing to the production of the papers.

LORD MONTEAGLE said, that no part of the Irish Poor Law had undergone more discussion than the question whether the rate should be levied upon the electoral divisions or unions; and, if paid functionaries wholly unconnected with the localities superseded the unpaid guardians, they might introduce a different mode of rating. He agreed with the Government that, although it was desirable that the poor-law should be administered by local guardians, it was impossible to dispense

with the power of superseding them and appointing paid guardians; but he wished to know whether the paid guardians were to exercise any additional powers?

The MARQUESS of LANSDOWNE said, they would stand upon the same footing as the other guardians.

Motion agreed to.

House adjourned.

HOUSE OF COMMONS,

Thursday, February 10, 1848.

MINUTES.] PUBLIC BILLS.—1° Public Health.

PETITIONS PRESENTED. By a great many hon. Members, from an immense number of places, for and against the Jewish Disabilities Bill.—By Mr. Burroughes, from Norwich Operative Protestant Association, complaining of the Conduct of the Roman Catholic Clergy (Ireland); and from Westmoreland, against the Roman Catholic Relief Bill.—By Mr. Anstey, from several places, in favour of the Roman Catholic Relief Bill.—By Sir H. F. Davie, from Dunbar, and Mr. Hume, from Brechin, for Alteration of Law respecting Sites for Churches (Scotland).—By Mr. Pinney, from Tiverton, and Mr. Scholefield, from Birmingham, for Inquiry respecting the Rajah of Sattara.—By Mr. M'Gregor, from Glasgow, and Sir R. Peel, from Inhabitants of the Island of St. Vincent, for Consideration of the West India Colonies.—From Attorneys of Somerton, Langport, and Martock (Somerset), for Repeal of Duty on Attorneys' Certificates.—By Mr. H. F. Davie, from North Berwick, for Inquiry respecting the Excise Laws; and for Revision of the Sugar Duties.—By Mr. M'Gregor, from Glasgow, and Mr. Fox Maule, from Perth, for Reduction of Duty on Tea.—By Mr. Lushington, from Parish of St. Paul, Covent Garden, for Repeal of the Window Tax.—By Mr. Hume, from Brechin, for Repeal of the Banking (Scotland) Act.—By Mr. Moffatt, from Sligo, respecting the Bonding of British Spirits.—By Mr. G. Hamilton, from several places in Ireland, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. H. Berkeley, from Inhabitants of Bristol, for Sanitary Regulations, and for Discontinuing Interment in Towns.—By Mr. Hume, from East and West Somerton, and Winterton (Norfolk), for Alteration of Law regulating Leases.—By Mr. Du Pre, from Buckingham, for Alteration of the Lunatic Asylums Act.—By Mr. Pinney, from Wincanton, for Alteration of Law respecting Mendicancy.—By Mr. E. Bunbury, from Bury St. Edmund's, and Mr. Cobden, from several places, for Retrenchment of the Naval and Military Expenditure.—By Mr. Fagan, from Clogheen Union Poor Law Guardians, for Alteration of Poor Law (Ireland).—By Mr. Waddington, from Poor Law Officers of several places, for a Superannuation Fund.—By Sir H. F. Davie, from Dunbar, and Mr. Hume, from Arbroath, for Alteration of Law respecting Prisons (Scotland).—By Lord Courtenay, from Guardians of the Kingsbridge Union, for a Union Settlement.—By Sir H. F. Davie, from North Berwick, and Mr. Hume, from Montrose, for Alteration of the Law of Settlement, and Parochial Assessment.

COUNTY COURTS.

DR. BOWRING asked the right hon. Home Secretary whether it was the intention of Her Majesty's Government to bring in any Bill for the reform of the County Courts, and especially with a view to diminish the expenses of proceedings in those courts?

Sir G. GREY replied, that it was not necessary to bring in a new Bill for the amendment of the County Courts Act, in order to provide for a revision of the fees in County Courts. By the present Act the Secretary of State for the Home Department, in conjunction with the Treasury, had the power of revising and altering the fees. A gentleman had, for some time past, been engaged in obtaining information as to the fees demanded in those courts throughout the country; and, when his report was laid before the Government, they would be able to determine what alteration was necessary. He hoped soon to be in a position to announce to the House the alterations which were proposed.

SWITZERLAND.

Sir H. VERNEY wished to ask the noble Lord the Secretary for Foreign Affairs, whether the decree of the Cantonal Government of Vaud of the 24th of November, 1847, would affect British subjects in that canton; and whether the letter of remonstrance and advice addressed by Sir S. Canning to the Government of Switzerland, endeavouring to dissuade it from arbitrary and tyrannical proceedings towards those who differed from it in religious matters, had been attended with success?

VISCOUNT PALMERSTON: In reply to the first question of my hon. Friend, I have to state, that I am not aware that any British subjects have been affected by that decree; and it would be a matter for consideration to determine whether, supposing British subjects had been affected by the decree, that fact would give the British Government any right to interfere in regard to an internal law passed by the Government of that canton. It is true that representations have been made by Her Majesty's Chargé d'Affaires in Switzerland, unofficially, because his Government did not consider that they were entitled to make any authoritative representation. I am not, however, in a condition to state that those representations have been attended with the effect that could be wished.

PRISON DISCIPLINE—THE SEPARATE SYSTEM.

LORD NUGENT rose to move for leave to bring in a Bill to repeal so much of the Act of 2nd and 3rd Victoria, c. 56, as gave power to magistrates, under the sanction and approval of the Home Secretary, to inflict separate imprisonment in gaols upon

persons committed for trial—a power and a practice inconsistent with every principle of general justice, and with the whole spirit of the criminal jurisprudence of England. It would be urged, no doubt, that this power was highly important as affording the means of preventing contamination, and that it was very convenient with a view to uniformity of gaol discipline. Both these propositions he wished to meet openly and in front. And on these two principles he would rest the whole of his argument; neither of which, he ventured to believe, could be impugned. First, we had no right, upon the pretext or for the sake of any supposed benefit whatsoever, to impose, without their consent, the highly penal condition of separate confinement upon those whom the law held free from all crime or blame until duly and lawfully convicted of the same; and, secondly, any uniformity of discipline in the treatment of criminals and of those whom the law held to be innocent, was of itself at variance with all principles of good discipline, and had a direct tendency to break down that barrier which should be ever and above all respected—the barrier that separated in public opinion, and ought to separate in treatment, the guilty from those whom we were only justified in holding in detention, and whom, until found guilty in due course of law, the spirit of our common law and the rules of natural justice accounted innocent. By the Act in question power was given to magistrates at quarter-sessions to draw up a code of regulations for the government of their gaols, to be submitted to the Home Secretary; which regulations, after having received his approval, acquired the force of law, and were carried into effect accordingly. In all prisons constructed within the last few years with a view to give effect to the separate system (not including Pentonville, of course, because it was appropriated only to the reception of convicts), the separate system was applied equally to the convicted and the untried. Now, in his (Lord Nugent's) opinion, this experiment of reformatory discipline (for an experiment only it still was, and requiring the most constant and cautious attention in its application in order to prevent abuse, and, even without abuse, irremediable mischief), gave promise of the establishment of a good and wholesome system, as applicable to convicted persons; but let the House mark what power the regulations of these gaols gave to the magistrates. These regulations peremptorily separated both the convict and the untried prisoner from all society with a fellow-prisoner. All prisoners were peremptorily excluded from holding communication with any friend or relation outside the gaol except under a severe supervision which he would presently describe, or by letter, which letter must come open, or might be opened by the gaoler. Was this tolerable, as applied to unconvicted prisoners? Letters from husband, wife, parent, child, brother, friend—letters of the most private character—a letter of affectionate sympathy—written in communion of sorrow and suffering—every stream of social and kindred intercourse stopped back, unless with the permission and the privity of the gaoler, thus made the official confidant even between husband and wife! It would be said that this was necessary in order to prevent improper communications with accomplices out of doors; but he would take leave to say that an unconvicted man had no accomplices. You had no right to assume, or act as if you assumed, that he had an accomplice. The whole principle of their common law, as a thousand times over declared by their judges from the bench, and by all their commentators on their common law were against them; and no considerations of convenience or police could justify so grievous a wound on the happiness and the rights of an unconvicted man. This provision, too, was absolutely futile. The untried were allowed to hold confidential communication with their legal advisers, in order to prepare for their defence; and thus an obvious channel was open, through which any communication might take place with persons outside the gaol. So that this appeared to be a tyranny without a purpose, and absolutely inoperative for any useful object, as opposed to those who might wish to baffle it. But suppose that friends or relations outside the gaol should wish to suggest to a prisoner means for conducting his own defence, where no attorney should be employed; and suppose that defence should be founded upon some alleged misconduct or irregularity on the part of the committing magistrate; this letter would be opened by the gaoler, and carried by him to the visiting magistrates, among whom might be the committing justice himself, who would doubtless consider that to be very objectionable and contaminating matter to be allowed to reach the accused. It would be said that

this was supposing an extreme and most improbable exercise of the power in question: he trusted and believed it was. But the law of England professed to protect the subject against any supposable injustice. This secret inquest into the means adopted by a prisoner or his friends for his defence was in conflict with the whole spirit of our jurisprudence; and it was the glorious boast of our law—let them not make it a vainglorious one—that it left no wrong without a remedy. Prisoners were permitted to receive visits once or twice a week, but not oftener, unless under special permission from the visiting magistrates; and even then these visits from husband, wife, or dearest friend, must be held in the presence of that eternal confidant, the gaoler, or one of his wardens, and with gratings keeping the prisoner and the visitor some eight or ten feet apart, as in a lazar-house. Now, besides all the rest that was intolerable in this, it was a penal condition manifestly most unequal in its operation as between the poor man and the rich. He would come to this presently. Meanwhile he would content himself with saying, that, as applied to any prisoner before trial, this was a punishment inflicted upon the untried, which the spirit of our laws did not sanction, nor would public opinion sanction it, if the secrets of the prison-house were known out of doors, as it was the object of his Motion to make them known to the House. But he (Lord Nugent) would now refer to some of the highest and most respected authorities upon the subject of separate confinement; and every one of them would be found to describe and recommend it as being reformatory punishment, but punishment of a very high degree. Take up the first report on Pentonville prison. Sir J. Graham, in his letter, treated this system as "throughout probationary, to prepare criminals for transportation," and as a measure "for regulating punishment." This discipline, in fact, differed from what was applied to convicts only in this remarkable respect, that convicts were sentenced to hard labour, which could not practically be supplied to the unconvicted; and hard labour was described by all these authorities, not as an additional punishment, but as a relief from the horrors of separate confinement. Colonel Jebb, Surveyor General of Prisons, in his report last year, spoke of the effects of separate imprisonment, but treated it only with reference to punishment; and he said, "Persons under the separate system are induced to work from the very irksomeness of idleness." There were much stronger statements in the evidence of Mr. W. Merry, who was one of the principal authorities concerned in giving effect to the system in the construction of Reading gaol, and who said, in his examination before the Lords' Committee on the execution of criminal law, "I believe there is not a man who would not escape from a separate cell, and go upon the treadmill if he had the opportunity." The chaplain of Aylesbury gaol—a most worthy, and excellent, and attentive officer—had given him (Lord Nugent) the same opinion, that the punishment was thus made much heavier upon the untried than it was upon the convicted, because employment could not be found for the former. The Rev. John Field, nearly twenty years chaplain of Reading gaol—a person of very high authority upon this subject, but who, he must in fairness admit, had, in a correspondence which that gentleman had done him the honour and kindness to hold with him, declared that he differed entirely from him upon the question of the application of this system to untried prisoners—said, in his most valuable book—

> "As a general rule, I assert with confidence, that when secluded, prisoners prefer the hardest and, under other circumstances, the most irksome labour, to idleness which is constrained."

Now, to unconvicted prisoners, idleness was constrained; and thus their punishment was rendered more severe and their condition more penal than that of the convicted. Mr. Matthew Davenport Hill, the recorder of Birmingham, gave the same opinion; it would be found in the report to which reference had been already made. He thought the system might heighten the effect of punishment, but that the great use of separate confinement was as one stage of reformatory discipline. But the report abounded with evidence to the same effect. In the second report it was stated that the prisoner, especially during the first few months, was strongly impressed with a due sense of his penal condition; that separate confinement compelled him to reflect, day after day, on the privations he was suffering as the punishment of crime; and this "punishment" was to be inflicted on men who had never been convicted. It went on, speaking of this separate system—"It is sufficiently severe as a legal punishment in itself." In another part of the report it would be found that

that enlightened and upright Judge, Mr. Baron Alderson, said—

"It appears to me that no effectual reform in prison discipline can take place so long as our county gaols remain on their present footing. What is wanted is to have houses of detention for untried prisoners, and distinct penitentiaries for criminals."

Oh, how warmly and deeply did he concur in opinion with that excellent Judge! There never could be a proper system of gaol discipline without that; and the two establishments ought not to be under the same roof, nor under the same government. This system of separate detention, he had said, was a punishment much more severe to the poor man than to the rich. Thus—the rich man could have the sympathy and companionship of his friends under the grievous calamity of loss of liberty and suspension of character. But the friends of the poor man could not spare either their time or the expenses of travelling, or of sustenance at a county town. Their time was devoted to labour. The rich man could relieve his mind in solitude by reading and writing, and communing in his own mind with what he had read before. But the health of the poor man—his mind's health — required more than that; he needed communication with his friends, and from that he was entirely debarred, excepting that sort of communion which he had already described. Why did he refer to these authorities? Why, in order to show that the separate system, in the opinion of all who were the most conversant with it, was desirable only and to be recommended as a very severe and formidable reformatory punishment. He might be asked, perhaps, why, if it were reformatory, it should not be applied to those prisoners who had not been convicted as well as to those who had? The answer was plainly this—you had no right to apply a reformatory system to an untried prisoner—you had no right to pronounce him in need of reformation: in so doing you would be acting in a spirit contrary to the whole presumption of the common law, as declared by your judges and your commentators, who laid it down as a fundamental principle of that law that a man should be held to be innocent until he had been convicted of a crime. It was trifling, worse than trifling, to say, the moral probability is, that of persons committed for trial, the majority are guilty. You are not justified by one principle of criminal jurisprudence in acting on this presumption. Of the whole mass of the committed, each individual had a right to say to you, "You have no more business with my reformation till I have been found guilty, than you have with the reformation of his worship who committed me. His worship suspected me of crime upon what he judged sufficient evidence, and committed me accordingly for trial; he thereby did his duty; but my answer is 'not guilty:' that is the issue to be tried, and until that is tried, and the verdict pronounced, you have no right to put me under a penal and reformatory system." It was, doubtless, a great grievance, an irremediable one, that, to secure the appearance of the accused to take his trial, you must perforce imprison him, subject him to loss of liberty, suspension of character, deprivation of means of applying his industry to the maintenance and interests of his family. All this is most true, and I know is irremediable. But I do say, inasmuch as this is true and irremediable, and grievous, the more sacred was the principle, that as much freedom should be extended to the untried as was consistent with moral discipline and good order in the gaols. Now there were, no doubt, obvious cases of exception. First, there was the case of very young persons being committed for trial; for obvious reasons they should not be allowed to associate with persons under suspicion of having committed an offence. But the condition of a child was very different from that of an adult. The child had no civil rights whatever, excepting to humane treatment, and to a due attention to his moral and physical requirements. The State was *in loco parentis* with respect to him, and had imposed upon it the duties of his guardian the same as were imposed upon his parents or other natural guardians. There were other exceptional cases. Persons, for instance, who were committed under a charge of a certain class of offences, which he need not particularise, would be extremely improper persons to be allowed, even under suspicion, to associate with each other. Perhaps, also, persons committed for a second offence ought to form an exception. But these exceptions were easily dealt with. They were cases in which a special report might be made by the committing magistrate to the Secretary of State for the Home Department, who should have the power in such cases to authorise the application of the separate sys-

tem. There was one observation he would presume to anticipate might be made by the right hon. Gentleman the Secretary for the Home Department. It was very probable the right hon. Gentleman would say, that the principal part of, if not all, the grievance which he had stated, might be obviated by shortening the time of imprisonment before trial by provisions for multiplying gaol deliveries, and thus shortening the time between commitment and trial. No man could feel more than he did how much was owing to his right hon. Friend for his most praiseworthy exertions in that direction. But he must say, that as in the statement he had made he had not exaggerated or mis-stated anything —(and he would challenge his right hon. Friend to point out any mis-statement) —to talk to him of shortening the duration of a punishment which was in itself a wrong, was an aggravation of that wrong— a wrong in itself. Talk to him of shortening the duration of such an iniquity! If it was as he had described it, it ought not to be tolerated for one month, or one week, one day, or one hour. Thanking the House for its kind indulgence while making a statement on a matter which was not in itself at all inviting, he would not abuse its attention by offering one word of comment. It required no comment, it required no declamation, even if he had the faculty of declamation—which he had not. But he would appeal to those Gentlemen whose inclinations were conservative of the ancient landmarks of our institutions, not to allow a principle of our common law coeval almost with the dawn of the constitution itself, and ratified by the dicta of all their judges and writers on their common law from age to age, to be superseded by a newfangled system like this—if that can be called system which is in confusion of all good discipline and distinction between the conditions of proved guilt and presumed innocence. He appealed to those friends of liberal institutons, whose spirits were ready to rise in revolt against the very semblance of oppression, not to tolerate what he had endeavoured to show was a punishment where no law had pronounced censure, pressing in very unequal measure upon rich and poor, and liable to directly interfere with the unquestionable right of every accused man to be left free to consult with advisers on the mode of conducting his own defence, free from all inquisition. He appealed to the House against what, on these grounds, he felt to be a mischievous, an unjust, and a monstrous power; and thus would conclude by submitting the Motion, the terms of which he had already stated to the House.

Sir G. GREY said, that giving his noble Friend, as he readily did, every credit for the motive which induced him to make the present Motion, he felt it his duty to offer his most decided opposition to it, because he thought the introduction of any such Bill would have a most mischievous effect, by inducing the country to believe that the Government were no longer convinced of the policy, the expediency, and the importance of maintaining that portion of the Act of the 2nd and 3rd Victoria, cap. 56, which his noble Friend proposed to repeal; that portion of the Act being, in his (Sir G. Grey's) opinion, one of the most valuable parts of our present system of prison discipline. He would state to the House what the provisions of that Act were. The Act was passed on the 17th of August, 1839, and was entitled "An Act for the better ordering of Prisons." By the 2nd Clause it was enacted—

"That the persons authorised by law to make rules and regulations, to be submitted to one of Her Majesty's Principal Secretaries of State, for the government of any prison in England or Wales, shall be empowered, if they shall think fit, to make rules for a different classification of prisoners of each sex in such prison, or for the individual separation of all or any of the prisoners confined therein, with due regard to their proper supervision, religious and moral instruction, and employment, and from time to time to alter or add to such rules; and the Secretary of State, if he shall think that the rules so made and submitted to him for a different classification of prisoners of each sex, or for the individual separation of prisoners, are fit to be enforced in that prison, shall subscribe a certificate or declaration that they are proper to be enforced; and the rules so made and certified, but not until they shall have been so certified, shall be enforced."

Then, by the 3rd Clause, it was enacted—

"That, in order to prevent the contamination arising from the association of prisoners in any prison in which rules for the individual separation of prisoners shall be in force, any prisoner may be separately confined during the whole or any part of the period of his or her imprisonment, under the restrictions hereinafter provided."

By the 23rd Clause it was expressly stated, that the term "prisoners" should include persons committed to prison for want of bail or sureties, as well as persons charged with or convicted of any offence, or otherwise detained by legal authority.

His noble Friend proposed to repeal this power so far as it related to untried prisoners. Now, the fallacy which his noble Friend laboured under was this—he conceived that this system, as applied to untried prisoners, was applied as a penal system. But it was not applied to them as a penal system, but as a most beneficial and highly protective system. His noble Friend said that the power vested in the visiting magistrates, to subject untried prisoners to this system, was a most unjust and monstrous power; and he had defended that proposition upon the maxim that a person committed to prison was in the eye of the law held to be innocent until he was convicted. Now, he (Sir G. Grey) was quite ready to admit the truth of that maxim; and there was an essential difference always made between the treatment of prisoners who had been convicted, and those who had not, and who were awaiting their trial. But surely his noble Friend did not mean to say, because persons who were detained on a charge of having committed an offence were, previously to their trial, held in the eye of the law to be innocent, that, therefore, they were to be treated in all respects as innocent persons? When a man was charged with having committed murder, for instance, was he not arrested, was he not torn from his family, and subjected to a deprivation of his liberty, and required to conform to the rules of the prison to which he was committed? To a certain extent persons charged with the commission of crime were necessarily subject to a penal system. This was the case when prisoners tried and untried were indiscriminately mixed together, without any classification whatever; a system fraught with so many evils that the Legislature had endeavoured to provide a remedy for it by means of classification, and more recently by separate imprisonment. His noble Friend had said, that they had no right to apply a reformatory system to untried prisoners. He must say, that that was the most extraordinary doctrine he had ever heard upon this subject. Persons charged with the commission of crimes were necessarily detained in prison; and his noble Friend maintained that, while so detained, no regard whatever should be paid to their moral state or condition, and that they stood in no need of moral discipline. His noble Friend must have overlooked altogether from what class of persons convicted prisoners came. Did not the convicted prisoner of to-day belong to the class of untried prisoners of yesterday? If the convicted prisoner required discipline, did not the unconvicted prisoner also? Could the unconvicted of yesterday, but the convicted of to-day, have been so absolutely free from all habits of vice and corruption as not to require to be placed under any reformatory process? The whole object of subjecting untried prisoners to separate imprisonment was for their own good, and to protect them from that contamination which must arise from a want of such separation. The system now objected to was based upon reason and authority. He wished to refer to some documents, a portion of which had been already laid before the House, and which he thought would be satisfactory to hon. Members, and induce them not to consent to the views taken by his noble Friend. The ordinary result of committing a man to prison was that he came out a worse man than when he entered it. This was true not only of men who had been suffering under a sentence for crimes of which they had been convicted, but also of men who belonged to that class of innocent men—not presumedly innocent, but really innocent—as some were who are committed for trial. He need not refer to evidence to prove that prisoners who had been committed and subsequently acquitted came out of prison adepts in crime, although when they went in they were free from all taint. This system, which his noble Friend wished to abolish, was not an experiment lightly to be abandoned. It had been adopted after the most mature consideration, and had been found to operate most beneficially. He would read an extract from the report of the Select Committee of the House of Commons on Secondary Punishments, which was presented to the House in 1832:—

"Efforts have of late years been made to remedy these evils by the classification of prisoners, but the result has been far from satisfactory. By the Gaol Act, 4 George IV., cap. 64, no provision is made for dividing prisoners before or after trial into more than two classes. The larger prisons, especially those in and near the metropolis, usually contain several hundred prisoners, whose periods of confinement before trial vary from a few days to several months. It is hardly necessary to remark, that any classification, with the inadequate means provided by the Gaol Act, must be inefficacious—that, in the case of untried, it must associate the most hardened offenders with those who may be guiltless of crime, and that even an innocent man sent for trial can hardly escape contamination. Your Committee are of opinion that

none but a moral classification can be effectual, but they fear that the difficulties which stand in the way of such a classification, whether as regarding prisoners before or after trial, are nearly insurmountable. If such be the difficulty of establishing an effective system of classification, your Committee see no alternative but that of the separation of prisoners, both before and after trial. . . . . They are aware that a proposal to inflict on prisoners before trial any restraint beyond what may be necessary for their safe custody, is likely to shock the opinions of many who may be disposed to consider it in the light of punishment inflicted without proof of delinquency; but your Committee are of opinion that such a separation of prisoners should be regarded rather as a boon than a punishment. Not only will the evils already detailed be avoided, but even with reference to the comfort of the prisoners it may, in most cases, be considered an improvement, since to those not hardened in crime the association with the reckless malefactor, and the horrors of such companionship, must prove an infliction tenfold more severe than the partial seclusion to which it is proposed to subject them. All the witnesses examined on the subject agree in this opinion."

There was a report of a Select Committee of the House of Lords, of which the Duke of Richmond was chairman, in 1835 or 1836, which expressed similar opinions to those he had just read. He would now call the attention of his noble Friend to an extract of a report made by a gentleman who was very well known to many Gentlemen in that House; he meant the Rev. Mr. Clay, the excellent chaplain to the Preston House of Correction. It was dated October, 1844. After describing the reception of prisoners, he said—

"A prisoner thus received is generally either committed for trial at the sessions, or under a summary conviction. In the former case he has the option of passing his time with other prisoners similarly circumstanced (that is, in the workroom during hours of labour, and in the yard during meal-time); or of being placed in one of the new cells, and entirely separated from all association. Wherever any sentiment of self-respect remains—wherever sorrow or a sense of disgrace is weighing on the mind, the offer of separation is gladly embraced. On the other hand, the old offender, the thoughtless, the callous, prefer the work-room and the unrestrained conversation, during meal-hours, of the yard."

In the report from the same gentleman, in the following year, he said—

"It was not until 1840 that separate confinement after trial was resorted to, and then under many disadvantages. The many evils of permitting the untried to associate still remained unremedied, and it became evident that, especially with regard to boys, no after discipline could stay the growth of the corruption which they had contracted even in a few days' exposure to that association. The necessity, then, for removing such evils could no longer be resisted. Accordingly, in June, 1844, all boys committed for trial were at once placed beyond the reach of contamination; and in the summer of the present year (1845) adults were, for the first time, similarly treated."

He added—

"Should it be objected, that to separate the untried is to punish them, and that punishment must not be inflicted until guilt is proved; I would reply, that a prisoner committed for trial must be either guilty or innocent—an adept in crime or a novice. If the former, separation is no injustice to him, for he has no right to be placed among those whom he would contaminate; if, on the other hand, the newly committed prisoner should be innocent, or unused to crime, he has a right to be protected from influences which would inflict upon him a horrible and irreparable injury."

But not only in our own country, and from gentlemen who had given their attention to the subject of prison discipline of late years, had this system the sanction of authority, but foreign authorities of the greatest weight were in favour of the system, perhaps more decisively than even in England. M. de Tocqueville, in the *Rapport du Projet de Loi sur les Prisons* to the Chamber of Deputies, in 1843, said—

"The writers who have hitherto treated of the subject of prison reform have differed as to the question of the discipline to which convicted prisoners should be subjected; but they have all concurred in the expediency of separating untried prisoners from each other, and of resolutely preventing any communication between them. They have thought that the inconveniences were very few and the advantages great in preventing all communication whatever between such prisoners."

He added, in a subsequent passage—

"To detain an accused person in prison until his innocence is proved is a measure of rigour; but, to compel him, while awaiting his trial, to live in the midst of a society of criminals, is equally impolitic and cruel."

M. de Tocqueville proceeded afterwards to show the absolute failure of any classification of untried prisoners to prevent contamination and corruption. Again, the same sentiments had been expressed in Belgium. In 1845 there was presented to the Chamber of Representatives in Belgium an elaborate report upon a prison law for that country, in which the same views and opinions were expressed; and various authorities of weight and experience were quoted in support of the separation of untried prisoners, not as a measure of punishment, but as a benefit to them; the object being to prevent the demoralisation which had been invariably found to

result from association in prison. His noble Friend might also be aware that this question was discussed at the Penitentiary Congress held at Frankfort in 1846. On that occasion M. Julius, Inspector-General of Prisons in Prussia, said, in the course of a speech which he then delivered—

"It is only in our own days that the separation of prisoners from each other has been considered as the basis of every penitentiary system. This separation is of special importance with regard to those who have not yet been convicted. Both in their case and in that of the convicted, the object is that the good shall not be corrupted by the bad, and that the bad shall not be made worse."

M. le Comte Skarbek, Inspector of Prisons in Poland, expressed similar opinions; as did M. David, of Copenhagen, and M. Ardit, Under Secretary to the Minister of the Interior in France; all of them stating that the separation of untried prisoners was essential to reform in any system of prisons. Mr. Adshead, in a valuable pamphlet on a gaol system in this country, referred to the resolutions agreed to at that Penitentiary Congress, at which he was himself present. The first of these resolutions, and which was unanimously adopted, was—

"Separate or individual imprisonment ought to be applied to prisoners before trial, so as entirely to prevent all communications between them or with other prisoners, except in those cases in which the magistrates, in accordance with the request of the prisoners themselves, think fit to allow them some communication within limits prescribed by law."

His noble Friend had adverted to two or three authorities, including Mr. Merry and Mr. Field, the former of whom had written a pamphlet advocating in the strongest manner the separation of untried prisoners, and both of whom were supporters of the system opposed by his noble Friend. His noble Friend also referred to the opinion of Mr. Baron Alderson as to houses of detention for untried prisoners. He agreed with his noble Friend in thinking it advisable that there should be houses of detention separate from houses of correction; but, unless untried prisoners were kept apart in the houses of detention, the consequences would be as mischievous as the intercourse of prisoners after conviction. In accordance with the suggestion of Mr. Baron Alderson, there had been a house of detention erected for the county of Middlesex, in which provision was made for the separate imprisonment of each prisoner. His noble Friend had complained that these prisoners were unable freely to communicate by letter with their friends out of doors; but the regulations to which he had referred had nothing to do with the separate system of imprisonment, but formed part of the general regulations of the prison. The untried prisoners were allowed the freest intercourse which the regulations of the prison would permit with their friends and relations and their legal advisers; and there were many other deviations in their case from the strict system applicable in the case of tried prisoners. He would refer his noble Friend to the report of the Inspectors of Prisons, dated 8th August, 1845, in which they described this system as applied to untried prisoners. They stated that—

"The system of separation between prisoner and prisoner is admirably adapted to the condition and circumstances of the untried, and fully secures the just rights and privileges of that class of prisoners. Their feelings and necessities are consulted; they are provided with a commodious, well-lighted, and well-ventilated cell, fitted with everything necessary to supply their real wants; they are supplied with a sufficiency of good food; they are protected from the sight and hearing of all their fellow-prisoners; they can at any time have the attendance of an officer of the prison or of the governor, chaplain, or surgeon. They can see their friends and legal advisers; they can, without impediment or interruption, calmly deliberate upon their defence, and take all proper means to meet the trial that awaits them. They may send or receive letters; they may read unobjectionable books; they may, if they desire it, be furnished with suitable employment; they have the privilege of attending public worship; can take daily exercise in the open air; may receive food other and beyond the prison diet; they are exempted from perplexing regulations; they are tempted to no violation of prison discipline; they are spared the infliction of prison penalties; there is no one to hurt their person, provoke their temper, or corrupt their morals. They can occupy themselves in useful work, in profitable reading, and in tranquil meditation, uninterrupted, save by the visits of those who come to minister to their physical, moral, or religious wants, or to aid them with comfort or professional advice. Would the relatives or friends of any prisoner, who have a proper regard for his best interests, hesitate to prefer such a mode of confinement to any other that has been practised or devised? Between the advantages of separation, and the degradation and depravity of association, on the one hand, or the restraint, exposure, and severity of the silent system, on the other, we feel convinced that no comparison can be sustained."

He begged pardon of the House for detaining them so long with the extracts which he had read; but he had referred to them mainly for the satisfaction of his noble Friend, in order that he might know

that this subject had been very fully considered by men of enlightened views. While he gave his noble Friend credit for his motives in bringing forward this Motion, he hoped that the House would not adopt it, because it would be a retrograde step—one which would be most objectionable in principle, and most injurious in its results.

Dr. BOWRING had seconded the Motion of the noble Lord, because it appeared to him that the interests of humanity demanded that some attention should be drawn to this subject. He certainly had thought that the noble Lord had made out a *primâ facie* necessity for the alteration which he proposed; but he was now bound to say, after the explanations of the right hon. Baronet, that his previous convictions had been much shaken. He would suggest to his noble Friend, therefore, the propriety of withdrawing his measure.

Viscount MAHON was sorry that the subject of prison discipline had been left in so unsatisfactory a state at the close of last Session. At the beginning of that Session Earl Grey had made a statement which he (Viscount Mahon) much regretted, to the effect that it was in the contemplation of Government to abolish, if possible, the system of transportation. That declaration the Ministers had not been able to carry out. The Government then introduced two Bills, one respecting the treatment of Irish convicts, as well as of those of this country, and another Bill with respect to prison discipline. The period of the Session at which they were introduced was so late, that he suggested the expediency of proceeding with one Bill only, and that the other should be proceeded with in the following Session. His right hon. Friend acceded to that proposition. He now wished to inquire when the House might expect that Bill? He wished, at the same time, to throw out a suggestion to his right hon. Friend, that his Bill would require much deliberate consideration, and it would greatly conduce to good legislation on the subject if the right hon. Baronet took care to introduce his Bill as early as possible.

Sir G. GREY: His noble Friend had rather mistaken the construction of the second Bill, which was dropped last year—the Bill which referred to prison discipline. Its object was to carry into effect a recommendation of the Commission which sat to inquire into the allegations which had been previously made in that House, with regard to the treatment of prisoners at Millbank. He admitted that, after a full consideration of the subject, he was not prepared to reintroduce that Bill in the form in which he had presented it to the House last Session. He had already a Bill prepared, which, he apprehended, would carry into effect the object which was aimed at by the Millbank Commission as stated in their report. That Bill he intended shortly to lay upon the table of the House. But with regard to the other portion of his noble Friend's question, he was sorry to say that he could not give so explicit an answer. The whole subject of transportation of prisoners was a subject that was surrounded by very great difficulties and embarrassments, and must consequently occupy a great deal of the attention of the House. He might, however, state that he had been anxiously devoting his attention to that subject, and a Bill in reference to it would certainly be introduced in the course of the present Session.

Lord NUGENT was sorry that his right hon. Friend had so entirely misunderstood him, as he appeared to have done, on the question of solitary confinement. The fault was probably attributable to the inefficient manner in which he had explained the objects of this Bill. The right hon. Baronet seemed to take for granted that it was his (Lord Nugent's) intention to have a restoration of that exceedingly bad and demoralising system of unrestrained intercourse between tried and untried prisoners which had previously existed. Now, he (Lord Nugent) meant no such thing. His object was to give to an untried prisoner the option of associating, for a certain number of hours in the day, with the rest of the untried prisoners. As to communication of that kind, there was undoubtedly a mixture of good and evil; but he wished to preserve the health of the mind as well as of the body of a person who had not been subjected to trial on the charge upon which he had been committed. Notwithstanding the extracts made by his right hon. Friend from the reports of prison inspectors, solitary confinement was clearly a most severe penalty, notwithstanding its highly reformatory tendencies. However, after the suggestion of his hon. Friend (Dr. Bowring), and the earnest request of the right hon. Baronet, he would not place himself in the disagreeable position of obtruding a measure upon the House against its will. He would leave himself entirely in the hands of the House.

Motion negatived.

SANITARY REGULATIONS.

Viscount MORPETH :* Sir, in now moving for the second time for leave to bring in a Bill for the Improvement of Public Health, especially in our towns and cities, I certainly do not feel any diminution of the anxiety and earnestness which attended the first effort, and which was also the first and I hope the last failure on the same subject. I do not feel myself called on to dwell upon the history of that transaction, still less do I wish to make it the subject of complaint or dispute between any of those who were parties to it: in the moment of defeat last year I had no such wish, I made no such attempt; still less should I do so now. The circumstances of that Session, the space of time that could be devoted to the measure, the inherent difficulty of the subject, the attempt, perhaps, to compass too much by too summary methods—may have all borne their part in it. What took place then, however, has left two feelings uppermost in my mind on the present occasion: one, common to myself with the Government and the Parliament, of the increased responsibility which devolves upon us that there shall not be a renewal of failure; the other is peculiar to myself in the discharge of my present duty, that whereas on the previous occasion there was much said and nothing done, so now comparatively little may be said, but a great deal more must be done. It may be recollected that in the discussions which closed the proceedings of last year upon this subject, two injunctions were somewhat authoritatively delivered to me, which I have regretted to find considerably at variance with each other. The first was not to incorporate by way of reference the enactments of other Bills, but to set forth plainly in the body of the new Bill what it was proposed to enact; the other was to bring in a Bill of one or two clauses. Now, with the first of these injunctions, which though perhaps not the most enticing of the two, I considered to have most of real substance in it, we have endeavoured to the best of our power to comply. The other injunction I would certainly have most willingly obeyed. I could indeed have done it in three ways, but none of which I am inclined to believe would have been acceptable to the House or country. I might have done it, or done something like it, by continuing the mode from which I have just stated I felt myself to be debarred by the objection taken last Session, and by the real weight of the objection—the mode of incorporating or adopting, by wholesale, the contents of other Bills. I might have done it by giving large and summary discretionary powers to bodies acting in subordination to the Privy Council, without the specification of those powers by Parliament. I will not disguise from the House that in many points of view this course would have smoothed many difficulties, and it might have secured great efficiency; it would have been able to do that which no general Act of Parliament can do, to accommodate itself to different localities and varying circumstances—to have niched itself, if I may so term it, into the most appropriate fittings. I doubt, however, greatly whether the House of Commons would have been prepared to concede such powers—powers including the right to legislate, and the power to tax, without the intervention of Parliament, to any extrinsic body. The third mode, which I only mention at once to repudiate, was to bring in a meagre and inadequate measure. Being, therefore, little disposed to adopt any of these three courses, we felt that we had no alternative but aiming at as much conciseness and brevity as were attainable, discarding or postponing many collateral objects and adjuncts which otherwise we should have been well pleased to include, and which we only hope to reserve for future opportunities; we should still in the Bill now to be brought in, deliberately lay the foundations, and distinctly set forth the provisions, for an efficient measure of sanitary reform. I cannot state more summarily what the objects are at which any measure of this kind ought to aim, and what we shall hope to attain by the present Bill, than in selecting one of the petitions which were presented in favour of the Bill of last Session; it is styled the Working Classes Petition; and I would just say in passing, that these are the very classes for whom our legislation — not indeed confined to them or to any class— is mainly intended. The wealthy, the easy, classes can build themselves commodious houses; they can select healthy situations, they can in most instances command unfailing supplies of pure water and fresh air; if health fails them in one place, they may pursue it in a thousand others; but for the children of poverty and toil, if legislation does not interfere to bring it to them, it will become as unattainable a

* From a pamphlet published by Ridgway.

blessing as the rarest gifts of fortune. Those who gain their daily bread by daily labour, and who, with their families, depend for support on the continuance of health, recommend, in their petition, the following points :—

"1. An unlimited supply of pure water to every house at a very small rate.

"2. A general and effective system of sewerage and drainage in all houses, streets, and courts.

"3. The removal of nuisances, as slaughter-houses, &c., from crowded neighbourhoods.

"4. The erection of more wholesome abodes for the working classes.

"5. The ventilation of workshops, schools, and public buildings.

"6. The establishment of baths, wash-houses, and bathing-places.

"7. The formation of gymnasia and exercise grounds for all classes.

"Your petitioners, therefore, humbly pray that you will be pleased to pass into a law the above-named Act for improving the health of towns, by which they will be shielded from the great physical and moral evils to which they are now exposed, and from which, without legislative interferenee, they cannot hope to escape."

I will not longer delay to state the main provisions of the Bill, and its main points of coincidence or contrast with former proposals. In doing so, I cannot forbear to mention how much my Colleagues and myself are indebted to my hon. and learned Friend the Attorney General, who, with the able assistance he could command, has bestowed much praiseworthy care in considering its provisions, and in putting it into the state in which we hope it will be found least liable to inconvenience and objection. We propose, in the first place, to abide by the appointment of a general and central Board of Health, with very much the same composition which was sanctioned by a large majority of the last House of Commons: it will consist of five members, of whom two will be paid, and will be presided over by a responsible Member of the Executive Government. This is the proposal which in fact embodies the principle of State supervision, to which all those who are jealous of what is termed centralisation are inclined to object. I can only state my positive conviction, that without some such means of applying experienced, scientific, and responsible control, any measure of the kind would be a mockery. As I have already quoted a petition of the working classes, I feel quite inclined to draw my argument in favour of State control from the letter of a working man which I received in the course of last year. He says—

"Neither do I agree with those who would leave everything to regulate itself, or to the exertion of private individuals, who, however well meaning, lacking that information which is always at the command of a Government, would never be able to do it as effectually as it should be done. My opinion is, that the Government have the best means of obtaining information as to the amount of evil resulting from a deficient supply of water, drainage, and sewerage, and also that the Government possess greater facilities of procuring information as to the best means to be employed to remedy the existing state of things. Therefore I think that the Government should prepare the plan or plans, and having passed them, leave the corporate bodies to carry them out, the Government contenting itself with appointing commissioners or inspectors to visit those towns, and see that the spirit of the Act was carried out."

I quote also the resolution of the anniversary meeting of the Health of Towns Association, held in the Hanover Square Rooms in December last :—

"That all past experience, and the nature of the case, enforce the necessity of combining in any sanitary measure an efficient local admistration responsible to the ratepayers, with the superintendence of a Government department duly represented in Parliament."

I have made the following extract from a report on the sanitary condition of Newcastle-upon-Tyne, by Dr. Robinson. An Act of Parliament for improving the borough of Newcastle-upon-Tyne, which received the Royal Assent on the 26th of June, 1846, contained a series of provisions for promoting the health of the town. The report, after enumerating these provisions, proceeded to say—

"Were these powers vigorously exercised, it is evident that many of the evils above described could not have existed. But, with the exception of a recent effort to induce manufacturers to use measures for the diminution of the smoke nuisance, the powers vested in the town-council by this Act have remained wholly inoperative. There is, however, no reason to believe that this remissness has arisen from any personal antipathy to sanitary improvements. On the contrary, many of the most active members of the corporation are zealous advocates for the physical and moral improvement of the working classes; and some have, at considerable expense, voluntarily introduced smoke-consuming contrivances, and otherwise ministered to the health and comfort of their fellow-townsmen. Nor can I describe the delay which has occurred in the execution of the Towns Improvement Act to any other cause than the disinclination to active exertion so often induced by a sense of divided responsibility."

While I thus echo and act upon these opinions in favour of the expediency of a certain regulated amount of State control, I am quite willing that the actual agency and habitual working of these measures should reside in local bodies, responsible to the community whose interests are espe-

cially dealt with. The part of central control is to provide indispensable preliminaries, to suggest useful methods, to check manifest abuses, but to leave the execution and detail of the requisite proceedings to local agency and effort. I proceed then to the constitution of the local bodies. We adhere to the opinion we expressed last year, and in which we were supported by the House of Commons, and in which subsequent consideration has greatly confirmed us, that these bodies ought to be connected with, and not disjointed from, the town-councils of places where municipal corporations are in existence. In a still earlier period of last Session the high authority of the right hon. Member for Tamworth was expressed to the same effect. Two objections were, however, urged to the adoption of town-councils as the local bodies for sanitary purposes: one was, that they would prove too numerous and cumbrous for the objects in view; the other, that the discrepancy which would frequently obtain between the present boundaries of the municipality and the boundaries best suited for sanitary objects, with a view to the continuation of suburbs and the natural levels for drainage, would be a fertile source of difficulty. I believe, indeed, this point was, more perhaps than any other, in the way of successful legislation last year. We now propose to obviate the objection as to the too great number of town-councillors, by providing that, after an application from a certain number of inhabitant householders of any district, and an inquiry founded on the same, the Order in Council which will apply the Act to any district shall prescribe the number of the local body or board of health, who are to carry into effect its provisions, in proportion to the size and requirements of the district: this will probably be in every case a smaller number than the municipal body; it will therefore not be the whole municipal body who will be charged with the sanitary department of the district, but a selection from them to be made by the municipal body itself, so that they will not clash with the prevalent feelings and views of the governing body, or of the community at large, who have appointed them by their collective votes to administer the internal government of the place. We have thought this modification of the course we adopted last year to be preferable to constituting a complete electoral body to be appointed by an additional system of election, and a different organisation of electors. Now, with respect to the other objection, in the case of the municipal being coterminous with what I may call the sanitary boundaries, the method I have described will work simply and smoothly; but in the many cases where the sanitary boundaries will outstrip and overlap those of the municipality, as there seemed to be an objection last year to constituting them summarily parts of the municipal communities, and thus subjecting them to the previous liabilities of the corporate district; and as it would seem manifestly unjust to include them in the sanitary district, but withhold from them alone their share of representation, we propose that the same Order in Council should define the number of sanitary councillors or commissioners, who shall act in behalf of those portions which are in excess of the municipal boundaries, and that these persons should be elected by the ratepayers of the adjoined district, and be then associated for the purposes of this Act with the selected members of the town-council.

With respect to non-corporate towns the same course will be pursued as with respect to the outlying portions of the corporate towns; if upon application, and inquiry, it be deemed advisable to apply the Act to them, the Order in Council will fix the limits of the district and prescribe the number of members for the local boards, who will then be elected by the ratepayers much on the same footing as now pertains to the election of guardians of the poor. Within England and Wales the Bill makes no exceptions. I hope, indeed, that Scotland and Ireland will soon participate in the benefits of the Act; but, for the reasons I stated last year, I judged it best not to encumber this Bill with the variety of provisions necessary for adapting it to Scotland and Ireland; if this Bill should prove acceptable and be adopted here, I hope my Friends and Colleagues, especially connected with the Government of those countries, will lose no time in accommodating its provisions to them in the manner required. I have said the Bill makes no exceptions in England and Wales, and accordingly the metropolis is not excluded from its operations; but I do not wish to mislead my hearers; owing to the great number of existing interests, of local bodies, and generally the whole condition of a community outnumbering in itself many Continental States, I am bound to declare that some preparatory and supplementary measures must be enacted by the Legislature, before the provisions of the

Bill I am now introducing can be made applicable to the case of the metropolis. One of such measures I hope to introduce within a very short period. Having constituted the local administrative bodies, the object of the Bill will next be to define those things which it will be imperative for them to do, and those things which it will be allowable or permissible for them to do. I think this is a prudent distinction. There are some points of indispensable and universal obligation which must be done if any progress at all is to be made in promoting the public health; these are of course the things which it is made imperative upon them to do; there are other points which may be more desirable, more suitable, more practicable in some localities than others, concerning which it would be advisable to allow more latitude for cautious experiment, for gradual adoption, for feeling their way as they go. It will be imperative upon the local administrative bodies — To hold meetings for transactions of business; to appoint a surveyor; to appoint an inspector of nuisances; to procure a map of their district; to make public sewers; to substitute sufficient sewers in case old ones be discontinued; to require owners or occupiers to provide house-drains; to cleanse and water streets; to appoint or contract with scavengers; to cleanse, cover, or fill up offensive ditches; to keep a register of slaughter-houses; to keep a register of certain lodging-houses; to provide sufficient supply of water for drainage, public and private, and for domestic use. The permissive powers to be granted to the local administrative bodies — To enlarge, lessen, alter, arch over, and improve sewers; to re-make or alter unauthorised sewers; to make house-drains upon default of owner and occupier; to require that new buildings be altered, &c., in case of building upon improper levels; to alter drains, privies, water-closets, and cesspools, built contrary to the Act; to make by-laws with respect to the removal of filth, and the emptying of privies, &c.; to whitewash and purify houses after notice; to require that certain furnaces be made to consume their own smoke; to provide buildings to be used as slaughter-houses; to make by-laws with respect to the licensing, &c., of slaughter-houses; to inspect slaughter-houses and places used for the sale of meat; to alter public buildings improperly built with respect to ventilation; to inspect lodging-houses; to pave streets, &c.; to provide places for public recreation; to purchase and maintain waterworks. I do not propose to add to the many provisions of this Bill any complete code for the construction of cemeteries beyond the precincts of towns; this must be rather reserved for distinct legislation; but I do propose at once to enact, that if the General Board of Health shall be of opinion that the continued use of any existing burial-ground is absolutely dangerous to health, they shall have the power of directing it to be closed, and its use prohibited. Of course all these powers must be put into effect through the means of rating; but this is scarcely the opportunity to go into the details of this portion of the subject. I am willing to hope that the provisions for rating are drawn up in as simple a method, and put upon as fair a footing as the number of subjects to be attained would possibly admit. Having now mentioned the main outlines and principal provisions of the measure I hope to obtain leave to introduce and to submit to Parliament and the country, I wish, before I conclude the immediate office I am now performing, to impress upon the House with all the earnestness of which I am capable, some few, some very few of the grounds which convince me that it is their bounden duty to adopt this, or some better measure, without any unnecessary delay, and in its full or increased efficacy. As one of these grounds I do not wish lay any material stress upon the possible approach of the cholera. Highly desirable, obligatory, indeed, as it is upon us to adopt all available means of prevention and precaution, yet it probably would only prove a temporary evil, and might so far be encountered by temporary modes of alleviation; in such, as far as their power went, the Government have not been wanting. Within a few days of my being in my present office, I revived the Cholera Act of 1832. But it is far from any temporary evil, any transient visitant, against which our legislation is now called upon to provide. It is the abiding host of disease, the endemic and not the epidemic pestilence, the permanent overhanging mist of infection, the annual slaughter doubling in its ravages our bloodiest fields of conflict, that we are now summoned to grapple with. I do not wish to rest the merits of my case on the precise details or exact amount of any sanitary statistics, which right-minded and clear-headed men, incapable of any intention to mislead, with no object before them but to ascertain the truth, have collected from the most

authentic quarters, and grounded on the most pains-taken calculations. There may be partial instances of exaggeration—there may be occasional sources of miscalculation. I have lately had the opportunity of perusing an article in the *British and Foreign Medico-Chirurgical Review*, written with much ability and research, but apparently with almost the express object of convicting some of the more eager sanitary advocates and statists of mistakes and exaggerations, which, however, they do not impute to any wilful intention. Now, I am led to believe that the sanitary writers and speakers in question would in many instances be able to hold good their ground; but I am willing to embrace all the deductions of this not hostile but still rigid critic. After passing in review the computations generally made of the varying rates of mortality in different districts, the reviewer says—

"The conclusions to which our examination of sanitary tests and estimates has led us are the following:—1. That the advocates of sanitary reform are justified in assuming 2 per cent as the rate to which the mortality of all towns, and *à fortiori* of the country at large, may, by proper sanitary measures, be reduced. 2. That there are fair grounds for assuming for the whole of the population a still more favourable rate of mortality. 3. That the estimated annual sacrifice of 35,000 lives in England and Wales, and of upwards of 60,000 in the United Kingdom, is not greatly exaggerated; and that a more moderate estimate of 30,000 for England and Wales, and 51,000 for the United Kingdom, may be very safely assumed. 4. That the estimated amount of sickness, like the estimated waste of life, expressed in years, has been somewhat exaggerated by the advocates of sanatiry reform; that 20 cases of unnecessary sickness to 1 unnecessary death is a safer proportion to assume than 28 to 1; and that the total cases of unnecessary sickness will have to be reduced accordingly."

He admits, therefore, that there is an annual waste of 30,000 lives which we could prevent, and that there are 20 cases of unnecessary sickness for each of those deaths. He goes on to say—

"The annual waste of life and sacrifice of health reduced to equivalents in pounds, shillings, and pence, under the heads of sickness, funerals, and labour lost, is represented by a grand total for England and Wales of 14,873,931*l.*, or little less than 15,000,000*l.* sterling. Of this enormous total the metropolis contributes very nearly 2,000,000*l.*, and Lancashire upwards of 4,000,000*l.* The standards of comparison employed in these calculations are the rate of mortality and average age at death in the most healthy registration district of each county; the ages of the living being disregarded, and the rates of sickness to death being taken at 1 to 28. If this essential element of age had been taken into account, if the more moderate standard of two per cent had been substituted for the perhaps too favourable mortality of the most healthy district, and if the ratio of 1 to 28 between deaths and cases of sickness had been made to suffer some abatement, it is not impossible that these 15,000,000*l.* might be reduced to considerably less than half. Possibly the total waste of money might not exceed the sum annually raised in the shape of poor-rates.

I wish to state the case as fairly as possible; but the Reviewer himself goes on—

"The calculations published in the tables of the Health of Towns Association embrace only three heads—funerals, sickness, and labour wasted. Orphanage and widowhood, which impose a perpetual burden on the poor-laws of about 50,000 women and children, and an annual burden, which, though not yet ascertained, cannot but be considerable, are not taken into the account. Then there is another enormous item of waste or misappropriation of money, not contained in these tables—namely, the sums squandered in the shape of defective and costly structural arrangement above and below ground."

I will not fatigue the House by going through the details:—

"What all these barbarisms have cost and are costing us it would be difficult to say; but that they amount to several millions a year no reasonable man can doubt. We refer our readers to the reports of the Health of Towns Commission, and the publications of the Health of Towns Association for particulars. If they appear exaggerated, let them halve or quarter every item, and there will still remain the most remarkable *exposé* ever yet made of municipal and national extravagance. One broad principle may be safely enunciated in respect of sanitary economics—that it costs more money to create disease than to prevent it; and that there is not a single structural arrangement chargeable with the production of disease which is not also in itself an extravagance."

Now, for the purpose of my argument I discard all the higher computations which those who have given most of their thoughts, and labour, and self-sacrifice to the subject, consider they have established. I adopt the most reduced scale which ingenuity applied in that direction can suggest; and I say still, that if in the course of every year in England and Wales 30,000 lives are lost which we can save, six or seven millions are spent which we can spare, and we forbear thus to spare and save, our folly will be only less than our crime. The Registrar General's reports are probably the most authentic documents to which we can have resort on a subject of this character. The last quarterly report says—

"The quarterly returns are obtained from 117 districts, subdivided into 582 sub-districts; 36 districts are in the metropolis, and the remaining 81 comprise, with some agricultural districts, the principal towns and cities of England. The population was 6,612,800 in 1841. 57,925 deaths were registered in the last quarter. The average

number of deaths deduced from the returns of the corresponding quarter of nine preceding years, and corrected for increase of population, is 46,509. There is, consequently, an excess of 11,376 deaths in the quarter. The deaths registered in the December quarters of 1845, 1846, and 1847, are 39,291—53,093—57,925 ; the mortality in the first is to that of the last quarter nearly as 2 to 3. A slight increase in the mortality was noted in the returns of the June quarter, 1846; the mortality in the following hot summer, when the potato crop failed, was excessive. Cholera and diarrhœa prevailed epidemically. In the autumn of 1846 as well as the winter and spring quarters of 1847, the mortality was still higher. Scurvy prevailed in the beginning of the year, but in the summer the public health appeared to be slightly improved. Epidemics of typhus and influenza, however, set in, and have made the mortality in the last quarter of 1847 higher than in any quarter of any year since the new system of registration commenced."

I quote a passage from Dr. Hall, of East Retford, who has exerted himself zealously in the sanitary cause: he is talking of typhus fever :—

"About 16,000 a year, which multiplied by 10, the recoveries to each death, a calculation lower by 18, than Dr. Playfair's, we have yearly in England above 160,000 attacks of this loathsome disease which may be prevented—a disease which does more to pauperise our population, to fill our workhouses with widows and orphans than any other, and for this reason—the typhus fever for the most part attacks men and women in the prime of life—from 20 to 40. This is the age at which the members of the working classes marry ; and if the father of a family is cut off, the widow and her children are cast for support on the poor-rates. This is a painful cause of pauperism, and it becomes more so from its permanence. A widow so left with children is seldom married a second time. From the books of the unions it appears to take place only in one case out of thirty. No wonder then the poor-law unions have to support 40,000 widows and 100,000 orphans year after year."

That positive actual deaths do occur from such causes—causes existing in all our cities, towns, villages, and farms, which we can as easily and effectually remove as we can eat our daily dinners, there is unhappily an accumulated bulk of proof. I quote again from Dr. Hall :—

"The deaths of infants in Preston under one year were—in well-conditioned streets, 15 deaths to 100 births ; middling-conditioned streets, 21 deaths to 100 births ; ill-conditioned streets, 38 deaths to 100 births ; worst-conditioned streets, 44 deaths to 100 births.

The difference ranged from 15 in 100 in the best-conditioned districts to 44 in 100 in the worst-conditioned. Then referring to a statement of Mr. Clay, of Preston—

"We see then, and the remark holds good not only in Preston, but also in other towns, that the mortality is in proportion to the condition of the houses in which the children live, and the streets in which they are situate ; no less than 29 per cent more of deaths taking place in the worst than in the best-conditioned streets of Preston, the mortality being 15 and 44 per cent."

In reference to the mortality in Leicester, it was said—

"Take, for instance, the parish of St. Margaret, Leicester, the average age at death in 1840 was — well-drained streets, 23½; partially-drained streets, 17½; streets without drains, 13½."

The following statement was made as to the mortality in Nottingham—

	Ward.	Deaths to each 100.
Worst.	Byrne's Ward ...	1 in 32
	St. Ann's Ward ...	1 in 36
	St. Mary's Ward	1 in 38
Best.	Castle Ward ...	1 in 43
	Sherwood Ward ...	1 in 50
	Park Ward ...	1 in 50

Sometimes, however, an individual case seems to bring us more into the actual connexion of cause and effect, to put us more face to face with death than any of the comprehensive summaries of mortality. I do not here so much allude to that painfully long list of men, whose official duties, nobly understood, and correspondingly discharged, have led them, whether as medical practitioners, as relieving officers, as ministers of religion, into the squalid haunts of infectious disease, the chambers of death. I hold in my hand a list contained in the *Journal of Public Health*, at the head of which stands the honoured name of Dr. Lynch, and only quote a paragraph at the conclusion :—

"A few short months ago, Bishop Riddell, the Rev. J. Standen, and Dr. Charlton, were in communication with the authorities of Newcastle, to represent to them the filthy, over-crowded, and infected condition of Sandgate and the neighbouring localities. The project was then entertained of removing fever-patients to a more open elevated part of the town, where, in some temporary or other building, their chance of recovery would be greater, while the spread of the infection among the inhabitants would be kept in check. A similar suggestion was made by Mr. Greenhow at the time of the cholera. Dr. Bowring, in the paper which he read in Newcastle, in 1838, at the meeting of the British Association, gave a remarkable illustration of the success of such a removal in the case of the plague; but the proposal of June last, in Newcastle, was not adopted; the sanitary condition of the infected district has since undergone little amendment, and the fever has extended its ravages. The rev. J. Standen is dead—the right rev. Dr. Riddell is dead; martyrs to their self-denying devotion to the cause of suffering humanity."

It may be thought—it will not be said—that these men died in their vocation, that they did what all our soldiers and sailors always do, freely spend their lives at the

call of duty. This, no doubt, is perfectly true; but we ought not to forget that for those whose case I am now considering, our physicians, and officers of the poor, and clergymen, a grateful country makes no provision for those they leave behind them. I intended, however, to allude more especially to the unofficial victims, those herds of sufferers whose deaths can actually be traced to causes which we can remove, though the blow is generally struck by more lingering and circuitous methods. Among other illustrations of the cause of disease and death from noxious effluvia, arising from want of drainage, I may adduce the following:—

"A long investigation recently took place before Mr. Baker, at the Windmill, Rosemary-lane, on view of the body of Mary White, aged 2 years. The inquiry was instituted by the medical officer of the Whitechapel union, in consequence of the many deaths which have taken place from a similar cause. Anne Briant, a married woman, said she had lived in Hayes-court about a week. During that period there was scarcely a house in which some one was not ill of fever. The child, her mother said, had been labouring under a fever for two months. Witness for the last week assisted the mother to attend the child. It died on Tuesday. Witness had no doubt that its death was caused by the impure atmosphere of the court. Several of the jury observed that the witness seemed to be in a state of fever, and Mr. Webb, the summoning officer, said that the whole of the inhabitants of the court had the same appearance. Mr. John Liddle, surgeon of Whitechapel union, said that he was first called to see the deceased on the 20th of August, in compliance with an order. It was then suffering from fever and diarrhœa. The parent would not let him go into the room, alleging that it was offensive and dangerous, and the mother brought the child to him at the next house. He prescribed for it, but the medicines would not act as they would have done in a healthy atmosphere. Witness has now six patients in that court. The first witness stated that she knew two children in another house, one of whom was dying of the fever, another was very bad. Coroner (to the surgeon): Do you register this a natural death?—Mr. Liddle: No, a death from the poisonous effluvia of the atmosphere from the want of drainage. It has been proved that the gas, in its pure state, arising from the decomposition of animal matter, is fatal; and M. Thénard, a French chemist, has found that 1.800 of its volume will destroy a dog, and 1 volume in 250 is sufficient to destroy a horse. Some course ought to be adopted, as the whole neighbourhood is liable to be attacked with fever. The jury returned the following verdict—'That the deceased died from diarrhœa and fever, caused by noxious and poisonous effluvium in Hayes-court from want of drainage."

Mr. Roche, surgeon to the Lying-in Hospital, Liverpool, to the editor of the *Journal of Public Health*:—

"On the 28th of September, 1846, I was requested to visit a young man residing at Hardwick-terrace, Prescot-street. I found him suffering from a severe attack of dysentery; and was not many minutes in the house when the smell all through the lower part of it became most offensive, arising from the privy and the cesspool, which were situated about four feet from the hall. On making inquiry, I was informed that whenever anything was thrown into it the stench was scarcely to be endured through the house, even to the upper rooms. One disaster after another now occurred in this family; the father and two younger children were attacked with dysentery; the mother (who was near her confinement) soon became a prey to the same disease; and then, to crown the sad catastrophe, the two eldest children were seized with typhus fever, and the father's case took on typhoid symptoms. Here then were seven human beings placed in jeopardy by a most unwarrantable nuisance; and it is to be feared that this is only one instance among many in this town. The mother and youngest child with the infant died; all the others were spared, but their recoveries were very tedious, until I had them removed to another house in the neighbourhood, when in twenty-four hours the change in the father's case was most remarkable, and all the children got rapidly better; but the pecuniary resources of the family were entirely destroyed by their long illness. There were several persons ill in two houses of the same terrace, and doubtless from the same cause."

I might multiply instances. Let me mention a case more particularly brought under my own notice. Any of my hearers interested in agriculture will be acquainted with the name of Mr. Josiah Parkes. He is conducting some extensive drainage works for the Crown, in executing which he had a most intelligent foreman, of the name of Fewson. I had a letter from him as follows:—

"Fewson is here, his mother being dead; she was buried yesterday. She was a nice, clean, hard-working, respectable woman, and, what is very vexing about her death is, that a nasty filthy town drain that runs under their house has been the cause of it. I tell Fewson he should inform Lord Morpeth of it. Such deaths are really awful, and of very common occurrence. Fewson is my superintendent of drainage in the Phœnix-park. He writes me that he fears his father will fall a sacrifice also to the same disease."

I wrote inquiring into the circumstances of the man, and received a letter from Mr. Crosskill, celebrated as a successful inventor of agricultural implements, in which he says—

"I find that within a space of 30 yards square there are 16 houses, wherein there have been 18 cases of fever, one of which, Mrs. Fewson, has died; and several others have had a very narrow escape. One medical gentleman, Mr. Boulton, a magistrate, who has attended 16 out of the 18 of the abovenamed fever cases, is of the same opinion as myself, that these fever cases are brought on by the bad state of the drain, which is alongside of the 30 yards square; in fact, Fewson's house, I believe, is partly built upon it. The

drain is a public one, for the use of the east part of the town; it is arched over about 20 feet beyond the 30 square yards, but from the yards there are side drains and grates without cesspools, and also beyond the 20 feet it is an open drain, the stench from which is at all times very offensive; it is one of the worst drains we have, but the whole drainage of the town is very bad, very shallow, with little fall, so that they always contain large quantities of stagnant water and filth, which, I fear, nothing can remove except your Health of Towns Bill."

Another correspondent writes to me as follows :—

"I made inquiries of one of the most practical men in Beverley, who is well acquainted with the drainage of the neighbourhood, and is now professionally employed in the Barmston drainage, which runs from near Beverley to the sea, and he, while quite admitting how open the locality to which your Lordships' attention has been called is to complaint, yet assures me that there are many worse instances in the town, and that nothing but a general deepening of the drainage can effectually remedy the evil under which the town, in this respect, labours. This can only be accomplished through some such measure as your Lordship's Health of Towns Bill; and until that has been passed, and it is rendered compulsory on local authorities to deal with these evils, I feel assured your Lordship will not attain any satisfactory result by interference in an individual case like that which has been pointed out to you at Beverley."

Am I taking an extreme instance? Is Beverley a remarkable place for its insalubrity? How is Beverley spoken of in a recent report of the state of Ipswich—a place I should not have thought exposed to any extraordinary unwholesome influences? I quote from Mr. Glyde's Report on Ipswich :—

"Average annual deaths in Suffolk (from a calculation of seven years), 1 in 51; in Ipswich more than 1 in 42. If we assume the population during this period to have been 25,600, and the rate of mortality to have been the same as Beverley and Yarmouth, the number would have been 512 instead of 603, showing a loss of 728 lives in eight years.

This reference to Beverley shows that it is regarded as a favourable instance of a salubrious town.

"Infantine mortality is considered one of the most important tests that can be applied to prove the sanitary condition of a town. In Whitby, 26 per cent; in Lancaster, 29; York, 31; Ipswich, 39 per cent die under 5 years of age. In Ipswich there are 103 streets and lanes, 15 of which are without any drainage, 19 with surface drains on one side only, extending only partly through them, and 42 streets and lanes not paved. . . . Where there is no drainage, dampness is a general complaint. Paper rots on the wall, water rises in the cellar, and things get mouldy in the cupboard. There are several cases where 10 or 12 houses have privies in common. The purity of the water which comes to the town has been spoken of in high terms, and the ability to afford abundance generally acknowledged; yet the water from the pumps is complained of for its impurity, and many of the poorer classes have a great distance to fetch their water. On the head of expense, there were, in 1842, 82 deaths above the average of Huddersfield and Beverley. The general expenses of these, at 4*l.* 10*s.* each, amounted to 369,137*l.* Deaths were, from consumption, 41 above the average of England. Taking the duration of illness at nine months, the expense of sickness at 10*s.* per week, there is a loss from excess of deaths from consumption of 728*l.* If for every death there are 20 cases of sickness, an excess of 82 deaths would give 2,296 cases of unnecessary sickness. Take the average expense of each case of sickness and medical attendance at 10*s.*, there is a loss from unnecessary sickness of 1,148*l.*; excess of funerals, 369*l.*; deaths from consumption, 728*l.*; unnecessary sickness, 1,148: total, 2,245."

Now, of course, I cannot pretend to take the House through all the provincial towns, concerning which the most afflicting and appalling statements have come before me. I shall mention only one or two of the most recent details. This is from the account of a public meeting at Newcastle-on-Tyne. Dr. Headlam said—

"He was sorry to say that streets and suburbs were rising with the same disadvantages. Streets were built without sewers, the ground not even levelled, and the soil in the centre saturated with filth."

Mr. Currie, of the Working Men's Association, said—

"He and other members of the committee were appalled by the scenes they had witnessed. He had never conceived that a locality existed in so miserable a condition as Sandgate. There was not a privy in its whole length or breadth."

Mr. Gallen resided in Westgate :—

"The annual value of the property was 25,000*l.* Little more of the property than was valued at 50,000*l.* was sewered. Places quite as bad as Sandgate."

Dr. White :—

"The statements of Mr. Currie and Mr. Gallen were not overcharged. The misery of Sandgate could not be conceived; it must be seen to be realised. In one single room in that locality he had seen thirteen cases of fever."

Mr. Greenhow :—

"They were too well aware of the unusual prevalence of fever in Newcastle for some time past. During the whole of the time while the gaol was surrounded by fever, there had been even less disease than usual within its walls. To what was this to be attributed? Simply to the adoption within the prison of those sanitary regulations which it was their object to extend to the whole community."

Dr. Lonsdale, in his report on Carlisle, says—

"In the assurance tables of this country, the mortality in Carlisle within the last twenty years

used to be estimated at 1 in 54 of the inhabitants; being lower than the present average of the fifteen healthiest counties in this kingdom. Now, in 1841, it was 1 in 39; being actually higher than that of the average of the fifteen unhealthiest counties. If, as is now admitted, the healthy and natural standard of mortality in England and Wales is 2 per cent per annum, or 1 in 50, it is evident that Carlisle, with its rate of mortality 1 to 39, or more than 2¾ per cent per annum, stands greatly in need of sanitary improvement."

I might give you similar recent accounts of Hull, Bradford, Wolverhampton, and Hertford; but I feel that it would be out of the question to trouble the House at more length. I am greatly obliged to the House for the indulgence which it has already extended to me. I shall only quote one more extract, and that applies to the sanitary condition of Sheffield. It is from a report by James Heywood, chemist, and William Lee, civil engineer. They say—

"We wish we could find language sufficiently strong to impress upon the council the absolute necessity for immediate action. The case is desperate, and supineness would be criminal. After the first few days' experience in our recent inspection, we were able, with an awful precision, not only to detect the unhealthy parts of the town, but the portions of streets, and the particular houses in streets and in courts, especially liable to febrile and other diseases. In hundreds of these we were able at once to describe to the sufferers all the symptoms of the disorders with which they were afflicted. The result of that inspection is a conviction which nothing can ever remove or weaken, that besides all the instances in which persons ultimately recover from long sickness and consequent distress, 1,000 at least are destroyed every year in this town by diseases which would have no existence under complete sanitary arrangements. To realise in the aggregate this unnecessary amount of mortality, and to appreciate the concomitant evils of domestic bereavement and pecuniary embarrassment, struggling poverty, and helpless pauperism following in its train, must appal the mind of every member of the council, and lead to the most strenuous efforts in the application of remedial measures."

They go on to say—

"That the water supply, cleansing, and paving, are at present in the hands of three distinct bodies, under the authority of as many distinct Acts of Parliament. The sewerage, though much has been done during the last few years, is illegitimate. All these must be harmoniously worked together as parts of the same system; and we are firmly convinced that this can only be done by placing them and all other sanitary arrangements under the control of one public body. We believe that in Leeds, and several other large towns, the sectional boards, tenacious of life, oppose this transfer of their present limited powers; but common sense dictates that in Sheffield and all other incorporated towns, the municipal council is the only body to whom these important powers should be intrusted."

With regard to a particular part of Sheffield, they say—

"The cesspools here are generally full, and the accumulation of refuse so great, that the house adjoining is seldom occupied, and scarcely tenantable. It is a remarkable fact, that scarcely any of the children born in this yard who were attempted to be brought up came to maturity, for out of the four houses which it contains (one generally empty) no less than thirty children have died within the last forty years."

In regard to another place, they say—

"Sixteen cases of fever and one of death have occurred in the adjoining houses within a few months; and four cases of fever and two deaths in houses whose windows are directly opposite to the point where drainage from this lane escapes into Edward-street. It is worthy of remark that no such cases have occurred in places further removed from this vicinity; the inference in this instance is irresistible." They add—

"We would suggest the adoption of the following measures; namely, better constructed dwellings, both as regards light and ventilation, and a liberal supply of water; the substitution of water-closets for the present open privies, and as many as possible of them in relation to the number of houses; also more spacious and commodious yards, well paved and drained, with public washing-houses and baths in populous districts; and, above all, places for proper and rational recreation."

In the course of this survey, too long I fear for the patience with which the House has treated me, but with reference to the materials most rapid and imperfect—I have carried you to some of the towns and cities of this country most distinguished by its special characteristics. I have mentioned places which supply a great portion of the fuel that feeds our chimneys and furnaces—which forge the iron and steel which first shape and then waft along our countless manufactures—which weave the fabrics that on the banks of the Wolga meet and outsell the products of all the looms of Asia, and clothe the furthest tropics. Then let it not be said, or if it has been said hitherto, let it be said no longer, that the hives of this vast industry, the sources of these innumerable supplies of comfort and civilisation to mankind, the homes of the men who do and make these things, should be pre-eminently the seats of filth, of disease, of degradation in its worst shapes and forms; that toils the most unsparing, exertions the most successful, should be beset by influences the most deadening and enervating; that the herculean labour of England, which cannot be said to be still in its cradle, is not able to strangle the noisome reptiles which infest it. Even here this night, I claim for British labour and its agents, all the assistance and ap-

pliances which our fostering care, our advancing knowledge can suggest. I do not ask you to overlay either local exertions or individual enterprise with State interference, or stifle them with too much looking after. I wish you to leave them in their ordinary action to their own resources and development; but I wish you to see that the imperial knowledge, science and skill —our best heads, and most adroit hands, are made available to show them the proper paths, and to take care that they do not go far astray from them.

COLONEL SIBTHORP was sure there would be but one feeling pervading the House of an earnest desire to remedy those evils which the noble Lord had so powerfully set before them. When the noble Lord brought forward a similar measure last Session, he could not acquiesce in it, not that he was less anxious than others for the welfare of his fellow-creatures, which he was sure the whole tenor of his life disproved; but his main reason for objecting to the measure was the reluctance which appeared to exist on the part of Her Majesty's Government to include the metropolis in the boon which was to be conferred on other towns. He thought that reluctance savoured of a wish to favour the constituency on account of the support which they had given to a leading Member of Her Majesty's Government. He confessed he did cheer when he thought that the noble Lord had introduced the metropolis into the present measure; but he had since found that he had been too hasty; for he had just learned, with some degree of disappointment, that the metropolis was still to be excluded from the Bill. The reason certainly could not be that the metropolis needed this measure less than other places. Let them look at St. Giles's and Billingsgate, and other parts of the metropolis, and let the noble Lord tell him what there was in those places which could induce the House to withhold from them the boon which was to be granted to other towns. They were told that a Commission had recently been appointed, and that the House must wait for its reports; but, he would ask, why were these reports not upon the table, and in possession of Members, before the noble Lord brought forward his Bill? The noble Lord had further told them that two paid Commissioners were to be appointed under this Bill; but the noble Lord had not told them what was to be their salary. He distrusted these measures of partial, and, therefore, of suspicious operation; but he was ready to support the principle of the measure, and even to contribute out of his own pocket to assist in carrying any measure which would benefit the working classes. He hoped, therefore, having made this declaration, which he would strictly adhere to, that he might be allowed to call upon the noble Lord to introduce a measure which should not be partial in its operation, for it would afford him the most sincere gratification if he could assist the noble Lord in carrying any measure which would, in the least degree, benefit his fellow-creatures.

VISCOUNT DUNCAN hoped it was unnecessary to assure the House that he would be the last person to rise for the purpose of placing any obstacle in the way of a sanitary measure. He had listened with the deepest attention to the speech of the noble Lord in introducing the present Bill; and he rose merely with the view of directing the noble Lord's attention to one omission which he had hoped, from the notice he (Viscount Duncan) had placed that night on the table, would not have occurred. The noble Lord had remarked that there had been a great deal said and little done with respect to sanitary measures. He fully concurred in that assertion. But the noble Lord had also been pleased to say, that he had observed great apathy respecting this measure out of doors. He begged to tell the noble Lord that there was no apathy about sanitary measures out of doors, and that the working classes were anxiously looking for the interference of the Legislature on the subject. The noble Lord stated the object of the measure was to check obvious abuses. Now, he had listened attentively to the noble Lord's list of obvious abuses. The noble Lord had mentioned defective sewerage and drainage; but he thought the noble Lord spoke rather under his breath when he came to the subject of ventilation, although he remembered that not many years ago the noble Lord was quite eloquent on that subject, as well as on the window-tax. But how did it come that—

> "His lips were now forbid to speak
> Those once familiar words?"

He held in his hand an extract from a speech delivered by the noble Lord in Wakefield, in the year 1846: that speech was delivered by the noble Lord after his re-election; and he said, amongst other matters, that the homes of the bulk of the population were inferior to what he should wish them to be; they were capable of

almost indefinite improvement—they required the admission of fresh air, good water, and wholesome light. Now, the question he had to ask the noble Lord was, why no mention had been made with respect to the window-tax on this occasion? He held in his hand a pamphlet, entitled the *Report of the Committee of the Members of an Association who had met together to consider Lord Lincoln's Drainage and Sewerage.* The noble Lord (Lord Morpeth) was at that time a Member of the Opposition, and had looked to the Bill introduced by the noble Earl opposite (the Earl of Lincoln) with all the eyes of jealous criticism, and he formed with other hon. Gentlemen, who were sitting around him, that Committee. He would read their names. [Lord Morpeth: I did not attend the Committee.] The noble Lord said he did not attend the Committee; but all he could say was, that the Committee had published this report with his name attached to it, and he had never heard the noble Lord deny that he was a Member of the Committee of the Health of Towns Association. If the noble Lord now denied it, he (Lord Duncan) begged the noble Lord would allow him to read the report of that Committee to refresh the memory of the noble Lord on this occasion. He remembered having read in *Gulliver's Travels*, that when Gulliver arrived in Laputa he found every one there was so deeply engaged in thinking of sublunary matters, that he required a flapper to refresh his memory. And if the noble Lord would allow him, he would act the part of a flapper to the noble Lord, and state what at least his Colleagues on the Committee had published on this subject. Nothing could be more clear or distinct:—

"They said that they had directed much attention to the subject of remedial measures necessary for the improvement of the sanitary condition of towns—that they had carefully considered Lord Lincoln's Bill page by page and clause by clause. Then Dr. Southwood Smith and the other members of the Committee declared it to be their opinion that no sanitary measure could be considered complete without that which they had observed had been altogether passed over in Lord Lincoln's Bill—namely, the abolition of the window-tax; and that a wise Legislature would never think of stepping in between God's greatest gift and the population, by laying on a tax for the enjoyment of the light of heaven, without which life was scarcely bearable; the effect of which was to oblige the poor to pay quadruple that which was paid by the rich."

He (Viscount Duncan) trusted to be able to show that such was the fact when they came to a discussion of the question on a future occasion. The Committee then spoke of the omissions in the Bill of the noble Earl, one of which was not making any modification of the mode of collecting the window-tax; and he perfectly agreed in the report of that Committee. He would next call attention to a report of the directors of the Metropolitan Association for the Improvement of the Dwellings of the Lower Classes; they stated they had paid much attention to the question of the window-tax, and wished that in any measure that was introduced, the Legislature would keep their attention fixed upon that point. He would now call attention to a case respecting the assessed taxation, reported to the House under the authority of three of Her Majesty's Judges. It was the case of an individual, who, having heard of the comfort to be derived from the proper ventilation of his dwelling-house, attempted to effect such ventilation by forming apertures in it. The name of the man was John Williams, of Penryn; and those apertures having been assessed as windows, he appealed against the charge of 6*l.* 17*s.* for three windows, and the Commissioners allowed his appeal; but three of Her Majesty's Judges having considered the case, decided that, according to the present law of the land, the man should be fined for having actually attempted to ventilate his dwelling. He did not now desire to draw on a discussion of the window-tax; but he wished to show the noble Lord that there was a strong feeling out of doors that no sanitary measure could be complete which did not embrace the subject of the window-tax. He would tell the noble Lord that the people of this country were looking forward to the revision of taxation, and expected to see taxation apportioned on each man according to his means. He could also tell the noble Lord that neither this nor any other sanitary Bill the noble Lord could introduce would be popular in this country unless the noble Lord grappled with the whole question.

Mr. HORSMAN said, the noble Lord who had moved for leave to introduce the Bill, had manifested all the zeal of a philanthropist with the ability of a statesman. The measure was large and comprehensive, and if followed up with vigour it could not fail of success. He thought the noble Lord had come to a judicious decision in having two paid Commissioners, as one, he thought, as was proposed by the measure of last year, would not be sufficient for the duty. With regard to the salaries of these offi-

cers, he was satisfied there was no such false economy as the underpayment of public servants, and therefore he trusted the noble Lord would not be deterred, by any taunts or sneers that might be thrown out, from making the measure efficient by securing able Commissioners, and giving them adequate remuneration for their services. The annual salary of 1,000*l.* suggested last year, was, he thought, too little. Amidst so much that was gratifying, he was unwilling to use the language of criticism; and, therefore, if he did advert to an old grievance, still he hoped the noble Lord would not doubt that he felt grateful for what was proposed to be done. But he regretted that the question of interment in towns was a subject which was almost altogether omitted in the Bill. There was, indeed, a clause proposed which went as far as this, that if the Commissioners thought the health and life of the inhabitants would be endangered by continuing the practice of interment in any particular burying-ground, they should have power to prohibit the practice. If that was the whole that was proposed, he feared it would be very ineffective. Six years ago this question was brought forward by the hon. Member for Lymington; and the Secretary of State at that time said that the time for legislation upon the subject was fully come. The noble Lord, in his very powerful and effective speech, had alluded to the progress of typhus fever. Now, Dr. Chambers and Sir Benjamin Brodie both stated, before the Committee which sat upon the subject, that the typhus fever which prevailed, even in such streets as Brook-street, was to be traced to the putrid miasmas that escaped from the over-crowded graveyards of the metropolis. Mr. Russell said, it had become a serious question, with their increasing population, how burials in the existing graveyards could go on without danger to the public health. A mass of correspondence from the mayors and authorities of various towns were produced to the same effect; and if that volume were laid on the table of the House, it would be perhaps the most remarkable that was ever presented to Parliament. The right hon. Gentleman the Secretary of State had found, however, in the recent Session of Parliament, such great difficulties in dealing with the subject, that he was compelled to abandon the attempt. In the following Session the hon. Member for Lymington said, that he would not wait for the Government, and accordingly he moved a resolution upon the subject of this great nuisance; and that Motion was carried, although the Government had declared that it was little short of a vote of censure. The right hon. Gentleman who was now Secretary of State for the Home Department, on that occasion urged the necessity of providing some remedy for the evil, and supported the Motion. In the following year the hon. Member for Lymington brought in his Bill, which was read a second time; and then, at the end of 1846, withdrawn, on a pledge being given that the Government would bring in a general measure on the subject. But last year this subject was altogether omitted from the general Bill brought in by the Government, on the ground that it would be better to deal with it in a separate Bill. It was clear, therefore, that there were some difficulties, some mysterious difficulties, in the way of the Government, which had never been explained; and he thought that they ought now to be informed what it was which prevented the Government from taking up this important part of the general subject. Dr. Milman, twenty years ago, had said that, in a return made to that House, it was stated that no more burials could take place in St. Margaret's churchyard; and, on one occasion, when a Committee of that House complained of the closeness of the committee-room, Mr. Bellamy said that, in consequence of the disagreeable exhalations from the churchyard the windows could not be opened; but that very day he had observed that another grave was now opened in that very churchyard. He hoped, therefore, that some assurance would be given by the Government that supplementary Bills would be brought in to remove this and other nuisances not affected by the present measure; and if the noble Lord felt that the Government could not carry an efficient measure on the subject to which he had called attention, he hoped that he would state his reasons, and he (Mr. Horsman) was convinced that the public would come to his aid in order to enable him to surmount all obstacles. If it was a mere question of expense and of remuneration to the clergy, the feeling was now so strong that that House would have no objection to a vote for the purpose, to be proposed by the Chancellor of the Exchequer; and the people would joyfully submit to that sacrifice, for the purpose of getting rid of so great a grievance.

Captain PECHELL expressed his gra-

tification at what had fallen from the noble Lord; but he regretted that an abuse which existed in the town which he represented, and to which last Session he had called the attention of the noble Lord, had still escaped amendment. The House would recollect that considerable discussion had arisen as to the mode of electing the commissioners to manage the local affairs of towns; and the Bill of last Session was attended with great difficulties, in consequence of its references to other Acts of Parliament, which had appointed a mode of election by plurality of votes; but he hoped that this Bill would state clearly what the mode of election was to be. He regretted the omission noticed by the noble Lord the Member for Bath. That morning he had formed one of a deputation that waited upon the Chancellor of the Exchequer, and he had done all in his power to extract from the right hon. Gentleman what his notion of a window was, but his efforts were unavailing. With respect to the window-tax a strong feeling existed in the country, and he was sure that no measure would be satisfactory until light and air were admitted freely into dwellings, without the interference of the Chancellor of the Exchequer.

Mr. HUME felt rejoiced at the prospect they now had of some progress being made in the work of sanitary improvement; but while he approved of a large portion of what the noble Lord proposed, he ventured to suggest that as this measure was to be carried out coercively in some instances, and permissively in others, it would be attended with a large local expenditure. In whatever way it was carried out, it must be attended with local taxation in a heavy degree; therefore it behoved Her Majesty's Government and the House, in taking this general and comprehensive proceeding, and in extending the benefit of those improvements to all parts of the country, with a view to have purity of water, better air, and the removal of effluvia, to consider whether they should leave out of the category the removal of the window-tax and the removal of the churchyards—for the one tended to prevent ventilation above, and the other to putrify the water below. They must look at the subject as a whole; and all they could do would be fruitless, unless light and air were freely admitted to the houses of the poor; it would be a defective measure unless the window-tax was repealed altogether. That House of Commons might properly be called upon to fulfil the pledge of the last, and the repeal of the window-tax was a pledge which had been frequently given. Lord Althorp had given a pledge that that should be the first tax taken off, and that at all events it should not be increased; but the right hon. Gentleman the late Chancellor of the Exchequer had violated that pledge, and increased the tax; the faith of a Chancellor of the Exchequer was, therefore, shown not to be worth much, and he advised the House to take the matter into its own hands. It was a mockery to propose the present measure without the other; to continue the tax upon light and air, and to continue the burial-grounds, the source of so much pollution, and yet to pretend to legislate for the removal of a state of things disgraceful to a country claiming, as this did, to be a little civilised. He admitted that the Government deserved credit for what they had done; but he trusted that they would yet do more, and that what they did they would do effectually.

The Earl of LINCOLN had not the slightest intention, when the noble Lord concluded his speech, of addressing the House on the occasion, for, generally speaking, it was more desirable to wait for the second reading of a Bill when the Bill was before the House, and when a person was much better able to discuss its merits than at the present moment. He should have adhered to that resolution, had not each of the hon. Members who had addressed the House began with great laudation of the noble Lord's Bill, and wound up their speeches by referring to the omissions in it. He would not follow their example, but rose for the purpose of protesting against those observations, and stating his opinion, that so far from their being a ground of complaint against the noble Lord for omissions, he thought he had acted most wisely in not encumbering the measure with any provisions that would interfere with its progress. So far as he could judge from the noble Lord's statement, the details were quite comprehensive enough already; and if the noble Lord could pass the Bill, the provisions of which the noble Lord had announced that evening, he was of opinion that the noble Lord would have made a valuable commencement of sanitary reform. He submitted it would be better to pass a measure of this kind, than run the risk of losing it by adding to it the difficult and intricate question of interment in towns. It was

not because the noble Lord did not now allude to it, that he precluded himself from doing so hereafter. He hoped the noble Lord would be enabled to deal with that question more successfully than his predecessors. As to the window-tax, no person could doubt that in an abstract point of view it would be most desirable to get rid of the window-tax; but he had no doubt that the noble Lord, if he proposed its abolition, would find an impediment in his right hon. Colleague on his left, in the present state of the revenue. No doubt that a sanitary measure which embraced the repeal of the window-tax would be more complete, yet he thought it was wise to take what they could get. He could aid the hon. Gentleman that had preceded him by pointing out five or six other branches of sanitary reform which it might be desirable to press; but he could not complain of the noble Lord for not introducing them. He would now simply state that so far as he could judge from the statement of the noble Lord, his measure was a considerable improvement on that of last year. The local machinery was much more likely to meet with the approbation of the country than that proposed last year. The noble Lord had obviated this difficulty. In the Bill of last year he did not embrace the natural area of drainage; or, if he did, taxed many of the inhabitants without enabling them to elect those who imposed the taxes. He thought also the noble Lord was inclined to confine within legitimate limits the central authority, and permit no more meddling with local authority than was absolutely necessary. If all this turned out as he supposed, he anticipated for the measure a favourable issue.

Mr. SLANEY observed, that a great change had taken place in the population of the country within the last half century. By the population returns, it was shown that in 1790, and from that period down to 1800, the labourers who were employed in husbandry were as two to one to the dwellers of the towns. But those proportions were now exactly reversed; and he thought this showed that a great change had taken place in the social pursuits of the population, and any Government desirous of improving their condition was called upon to make corresponding changes in its measures. The average increase of the population of this kingdom, from 1801 to 1831, had been, in five of the largest towns, 98 per cent; and since that period the increase had been going on in a still more rapid ratio than in those towns to which this measure could more particularly apply. In consequence of these vast changes in the social condition of the country, large masses of the population were suffering irreparable injury from the want of proper sanitary precautions. While the average annual mortality in the country districts was only two per cent, in the large towns it was three per cent; and in Liverpool, which unfortunately possessed celebrity in point of unhealthiness, the annual mortality had been $3\frac{1}{2}$ per cent. But if the returns were more closely analysed, and the mortality of the working classes alone were taken, in particular districts it would amount to 4 and 5 per cent. And a great portion of this mortality arose from causes easily suppressed or removed. In 1840, the Health of Towns Commission prosecuted their inquiries, and their report strongly enforced the absolute necessity of large and comprehensive measures for the better draining and cleansing towns, and for a more plentiful and purer supply of water. In 1842, there was presented to the House a general report on the condition of the labouring classes. This report was the result of personal inquiries made by Mr. Chadwick; and he could not mention the name of Mr. Chadwick without adding his humble testimony to the great exertions of that Gentleman—to the ability, intelligence, and perseverance which he had directed to this important subject. He might differ on some points from Mr. Chadwick; but he would readily admit that the working classes owed a deep debt of gratitude to that gentleman for his benevolent and untiring exertions in their behalf. In that report of 1842, it was stated that the greatest evils were found to exist in the large towns—that those evils were removable, and many remedies were pointed out. In 1845, another Commission, of which he had the honour to be a member, was appointed. Its report, like those of its predecessors, stated that enormous evils existed in the large towns. The report pointed out the remedies, and these remedies were comprised in the provisions now brought forward in this Bill. The report was made up from inquiries prosecuted in 50 large towns, principally in the West Riding of Yorkshire, and in the manufacturing districts of Lancashire, where the health of the inhabitants was most affected. The result of the inquiry, as to the three important points of drain-

age, cleansing, and supply of water, showed that in scarcely one of the large towns was there a perfect supply of water; in 45 or 46 of the towns out of the 50, the supply was most imperfect, and its quality most unwholesome. He went into 16 of these towns, and he could state as a witness that any description that could possibly be given by the noble Lord of the suffering and wretchedness of the working classes could not be exaggerated. In the close courts and narrow alleys of the miserable and neglected neighbourhoods, evils of the most monstrous kind met the eye in every direction—evils which, he firmly believed, might be removed if the measures now proposed were supported by the House, and carried out by the country. Hon. Gentlemen complained that the Bill would entail a great expense on the country. Instead of causing additional expense, it would effect a considerable saving—it would be a measure of economy. It would not merely be a benefit to the poor, but it would also be a saving to the rich. It would diminish the poor-rates, and it would also diminish crime, inasmuch as it would remove many of the causes of crime. The country would repay itself doubly and trebly by the adoption of the measure. In this country it had always been held that the property of individuals was sacred, and the doctrine was right. He would ask the House—not as a matter of compassion, but as one of justice—whether the poor man's property—his health, his strength, his sinews, his power to labour—the poor man's only property—were not to be protected as well as the property of the rich? If they did not protect that property, did they do the poor man justice? The protection of the poor man's health would give him an improved condition and status in society. They would find, on inquiry, that the moral condition of the poor was in exact conformity with their physical condition. If the poor became dirty and degraded in the eyes of themselves and their neighbours, they at the same time became reckless of their character—they became discontented, and flew to intoxication as a brief remedy for the depressing sensations they experienced, and crime too often followed as a natural consequence. He had seen in the narrow alleys and confined courts of large towns, children, who certainly went to school; but all the benefit they might receive there was neutralised and destroyed by the evil habits, by the filth and dirt, they found when they arrived home. But the greatest hardship was not suffered by the man in possession of his power and his strength; he could be almost constantly from his home; the greatest hardship fell upon the wretched women and the children, the widow and the orphan. He trusted that the issue of the enlightened policy now begun would be successful. They would then witness a vast and pleasing change in the habits and condition of the poorer classes. Their comforts would be increased; and with that change intoxication would diminish, and crime would also diminish in an equal proportion.

Mr. WAKLEY had not had the good fortune to hear the opening statement of the noble Lord, and could not therefore follow him into details. The noble Lord the Member for Falkirk (Lord Lincoln), in telling them that the measure was a tolerably good measure, did not pay the House a very great compliment; for the noble Lord admitted that if it had been a very good measure, there would be no chance of its being carried. If the noble Lord had formed a just estimate of the House, he was quite sure that the House was no faithful reflection of public opinion. The people of England were straightforward—they liked bold and comprehensive measures. The measure introduced by the noble Lord might be considered very good by some persons; but he begged to tell Her Majesty's Government that it fell far short of public expectation. Instead of being hailed with public approval, it would be met by public disapprobation. The great and comprehensive measure which they had been last Session led to expect had not been brought forward. He had been given to understand that the metropolis was excluded. [Viscount Morpeth: It is reserved for a separate Bill.] Why should it be excluded from this Bill? And when was this separate Bill to come forth? The public had a right to expect that where the greatest nuisances existed, there the remedies should be first applied. And where was that? It was in London, in stinking London, in filthy London, that sanitary measures should begin. The Government left untouched the very centre of the disease, while the spots and blemishes on the more distant parts of the body were to be subjected to a Ministerial dressing. That omission would be viewed with great dissatisfaction. It was all very well when minor grievances were to be remedied: there was no difficulty then; but when a

monster evil was to be swept away—for which the Ministers required energy and courage, they were generally found wanting. A comprehensive measure, to include London as well as all the other large towns, was loudly called for; but vested interests stepped in, and the Minister flinched from his duty. The churchyards were crying evils. But if the Minister attempted to interfere with the churchyards, the Church was at him, and he was compelled to give way. Was it not preposterous to talk of giving improved drainage and ventilation —to insure to the public plenty of air—and then to tax their windows? Did they imagine that the common sense of the people would be deceived by such humbug? Depend upon it, a proper construction would be put upon the measure out of doors. To talk of affording more light and air, and to omit the repeal of the window-tax, was ridiculous. The public were to have an addition to their taxes, and the most obnoxious of all taxes was to remain. The measure before the House was a great measure; the present Somerset House Commissioners had a great deal to do with it. The Commissioners had a great desire that the people should have a full supply of pure air; he was quite as anxious that they should have plenty to eat. The Commissioners were of opinion that human life was shortened—that the comfort and happiness of the poor were destroyed by impure air, by want of drainage, and want of water. In short, they believed that the health of the poor man was injuriously affected by everything except a water-gruel diet. They seemed to forget that if they gave the poor man more air, and air of a purer quality, he would want something more to eat. The Bill, however, seemed to meet with general approval in the House. That extraordinary decapitated party on the opposite benches—the great Conservative party —made no signs of opposition. What the country most required now-a-days was a good Opposition—not a decapitated Opposition—not the opposition of a party that were known as land crabs, from progressing backwards. If the decapitated party would bestir themselves, they might have every thing their own way. The noble Lord would have no occasion to designate the Bill as a tolerable measure; he might have made it a good measure. But now every measure emanating from the Government was received with gratitude by this generous assembly. As the representative of a large metropolitan constituency, he had a right to complain that they had not come forward in a more manly way. It was monstrous for them to introduce a sanitary measure, and to allow the window-tax to remain, What would the large towns say to the measure? They would say, "You dare not meddle with the metropolis; you allow the window-tax to remain, and put additional taxes upon us." He felt grateful to the noble Lord for the exertions he had made in the cause of sanitary reform; but what the country wanted, and what he had hoped for, was, that the noble Lord should stand erect and bid defiance to all interested opposition. He must frankly confess that the noble Lord had not, in his opinion, given them such a measure as the country had a right to expect. He hoped the noble Lord would reconsider the measure — that he would make it more comprehensive; and the noble Lord might rest assured that he would have the people with him. It had long been the character of the Whigs, that when they had succeeded in doing a certain amount of good, and when they had the opportunity and should have done more good, they had uniformly brought discredit on what they had done, by refusing to go forward. The noble Lord had lately had representations made to him by gentlemen of the medical profession, and had signified his full accordance in their views; but yet he had not given them the measure they had a right to expect. The medical profession would not receive with gratitude the measure now before the House. The sanitary question was the question of the day: it was a question intimately connected with the welfare of the people—with their physical condition and moral improvement. It was a question perfectly well understood by the public. He (Mr. Wakley) did not think the noble Lord would receive that public gratitude which he expected, and he would probably deem the people ungrateful; but, considering the monster grievances which were left untouched by the Bill, it would be unreasonable to expect that they should be contented with its provisions. He asked the noble Lord why the metropolis was excluded? It was because the measure was not thought to be agreeable or convenient to the nasty turtle-eating corporation. Why did Her Majesty's Ministers not resist the soup influence? Why should that influence be allowed to prevail against any measure calculated to benefit the com-

munity? Why should the corporation resist, as it constantly did resist, the Government whenever they were disposed to do something for the public good? Then, with regard to the important question of intramural interments. The noble Lord was perfectly aware of the poisonous effluvia arising from the metropolitan graveyards—he was equally well aware of its dangerous effects; but he could not encounter the opposition of the Church. The clergy had a vested interest in the churchyards, and it was not convenient for Government to interfere. Did the noble Lord believe — would the House believe — that the masculine mind of the people of England would be content with a measure of this kind—a measure which did a little, and then shirked the remainder? The public would be dissatisfied, and they had a right to be dissatisfied. The people in the towns would, more particularly, be dissatisfied with a measure which fastened on them a new burden for sanitary improvements, while it did not relieve them from the burden of the window-tax. He would again ask the noble Lord to reconsider the measure. Let his Lordship include the whole of the kingdom in one Bill. Let him not be content with remedying the minor grievances, but at once strike at the root of the mischief. He would bring to the mind of the noble Lord what was now going on in the metropolis. The noble Lord had lately received a deputation from Islington, in the centre of which densely-populated district it was proposed to erect a fever hospital. Did the noble Lord propose to take powers in the Bill to prevent the establishment of such a nuisance? Who was one of the principal promoters of this fever hospital? No less a personage than Dr. Southwood Smith, one of the Health of Towns Commissioners. The noble Lord did not propose to take powers to prevent this nuisance: he proposed nothing of the kind. The noble Lord told the House that he was afraid the accumulation of filth in the metropolis and large towns would create typhus, and that the typhus might become general; but here it was proposed to introduce the evil, in its worst form, in the very heart of Islington. The noble Lord knew that the ground had been purchased, and that the building of this fever hospital was about to be commenced; yet, with that knowledge, the noble Lord took no power in the Bill to prevent such an infliction. What an inefficient, miserable measure it must be! No such a thing could by possibility happen in Paris. There they had a public body always sitting, receiving deputations, and collecting information on the state of public health. Sub-committees were appointed to superintend separate districts. Those sub-committees reported to the Committee of Public Health, and that Committee, in its turn, reported to the Minister. If any erection was deemed injurious to public health, it was at once prevented. What would be the feelings of the people of Islington with regard to the measure of the noble Lord? When they found that it offered no remedy to them, they would be disappointed and indignant. He did entreat the noble Lord to extend the scope of the Bill, to rely upon the good sense and proper feeling of the people. If he were just to them, they would be just to him, and give him the best support he could desire.

Alderman SIDNEY begged, as a member of the corporation of the city of London, and as a commissioner of sewers, to make a short statement on some of the topics adverted to by the hon. Member for Finsbury. That hon. Gentleman had spoken of the corporation of the city of London as a nasty and turtle-eating body. Now there might be some difference of opinion as to the applicability of the word nasty, but there could be none as to the turtle. The hon. Member, however, could not be aware of the extent to which the corporation had effected sanitary reform, otherwise he would not have spoken as he had. He believed that the city corporation were the first metropolitan body who attempted to grapple with the sanitary question. He believed that every main street, and almost every court and by-street, had been sewered at enormous cost; and it was only bare justice to the commissioners of sewers, who represented the corporation, to say that they were most solicitous to avail themselves of every known improvement; and his belief was that the city of London would not be found to interpose obstacles when the Government attempted to deal with the entire metropolis. The corporation knew that the city formed an integral portion of the metropolis; it knew that the sewers already laid down would require to be adjusted so as to suit the metropolitan sewers; but at the proper time it would be seen that the corporation would throw no obstacles in the way of a comprehensive measure. He might also speak of a part of the city with which he was connected,

the ward of Billingsgate. The hon. Member for Lincoln (Col. Sibthorp) had spoken of the districts of St. Giles and Billingsgate in no very complimentary terms. He (Mr. Alderman Sidney) was prepared to testify to the healthy position of Billingsgate. He had the pleasure lately of dining with a party of thirty gentlemen who lived in that ward; and of these twenty laid claim to having lived upwards of fifty years in the locality. He had also to state that the constituency of Stafford, whom he had the honour of representing in that House, had requested him to give his hearty support to any general measure of sanitary reform. He had assured them that he should do so, provided the Government consented to allow the ratepayers in towns and boroughs to control the details. He understood that the present measure provided for some general supervision on the part of a Government board, but that the ratepayers should have a control in the management; and such being the case, he should give the measure a hearty support. It was a question in which his constituents were deeply interested; for he regretted to say that the statistics of mortality showed the number of deaths to be one in thirty-three in Stafford, while in some other places the mortality was not more than one in sixty-six. He sincerely hoped that the attention of the Government would be directed to the prohibition of intramural interments, to the abolition of the window duties, to the removal of markets from crowded thoroughfares, and other points bearing more or less on the promotion of the public health.

Mr. WYLD said, that the public had already had a specimen of what legislative interference would be in the proceedings of the Metropolitan Sewers Commission. The commissioners, at their first meeting, ordered that a block-plan of the metropolis should be prepared, and they calculated that the survey and plan would cost 61,000*l*. It would cost more than five times that sum. If the system pursued in the metropolis were carried out in the country, the measure would be enormously expensive. In his opinion there existed no necessity for a block-plan, inasmuch as the 6th and 7th William 4, c. 96, provided that all towns should be surveyed for the purpose of assessing the poor's rate; and all the suburban districts had been surveyed under the Tithe Commutation Bill. He hoped some means would be taken to establish a system of medical police—he considered that to be a most important point.

Mr. MONSELL begged to ask the noble Lord whether it were intended to bring in a similar Bill for Ireland?

Viscount MORPETH said, that as soon as the present measure could be matured, he hoped that the Secretary for Ireland would be able to supply a similar measure for Ireland.

Mr. OSBORNE begged to ask the noble Lord when the separate Bill for the metropolis would be brought in?

Viscount MORPETH: A Bill for extending and consolidating the Commission of Sewers will be introduced immediately; and the Sanitary Bill for the metropolis will be brought forward as soon as the Sanitary Commissioners make such representations as the Government can properly act upon; which will be, I hope, in the course of a few days.

Mr. JOHN REYNOLDS approved of the measure so far as it went; but expressed his sorrow and deep regret that its provisions were not to be made applicable to all parts of the kingdom. He could not see why its provisions should not be extended to Ireland and Scotland. He looked upon this omission as a most serious error. He conceded to the Government every credit for their good intentions regarding the sister country, and he was far from thinking them amendable to the charge which had frequently been brought against preceding Administrations, that when they had a good measure to give they tried it first upon England, and that when they had a bad measure to dispose of they made the first experiment in Ireland. He said he was not disposed to agree with those who brought such charges against the Government. But still he could not help again expressing his regret that they were not about to give this good measure a trial in Ireland. It was not pretended that Ireland was less in need of sanitary improvement than this country. In point of fact, if there was one part of the United Kingdom more than another which especially stood in need of a new sanitary system, it was Ireland; and if there was one place more than another in Ireland requiring a thorough cleansing it was Dublin. He would read some portions of the evidence taken before Mr. Abraham Heywood, of Dublin, the Queen's Counsel, a gentleman well known to many hon. Members in the House. Mr. Heywood had been appointed to inquire into the merits of a Bill

introduced some time since, and intended for the benefit of the city of Dublin, and in the course of his inquiry he elicited a large amount of information regarding the sewerage, drainage, paving, &c., of the city, to which he (Mr. Reynolds) begged to call the attention of the noble Lord. [The hon. Gentleman read extracts from the report, and also from the evidence of Mr. Willis, showing the defective condition of the sewerage, some of the most important squares, and many streets in the city, being wholly destitute of sewers; and in many others the sewerage was so extremely defective as to be almost useless. The consequences were, the contraction of habits of the utmost carelessness and filth by the lower orders of the people, the increase of fever, the establishment of malaria, and the nursing of hosts of diseases of various descriptions in the crowded dirty back streets and by-lanes.] He would only, after having read these extracts, express a hope that the noble Lord would take into his consideration the propriety of extending the provisions of the Bill to all parts of the kingdom. He was not going to allude to that colossus of the kingdom, the giant corporation of the city of London, nor to the part adopted by that colossus towards the noble Lord's measure. But he had to allude to the giant's sister, the corporation of Dublin. Standing as he did as sponsor for that body, he begged to assure the noble Lord that nothing would give them greater satisfaction than the introduction of the provisions of the Bill into their city; and he trusted that the question of their extension to them would be taken into consideration by Her Majesty's Cabinet. The question, too, ought to be considered in connexion with that most obnoxious impost the window tax; for he believed no measure for the improvement of the sanitary condition of the people would give general satisfaction unless it were accompanied by the abolition of a tax on light and air.

Viscount EBRINGTON said, that having paid much attention to the subject of sanitary improvement, the House would excuse him for making a few remarks on statements which had fallen from some previous speakers. He intended to have followed the hon. Member for Finsbury; but he rejoiced that he had not done so, as it had afforded an opportunity to a member of the corporation which had been so hardly spoken of, to vindicate its procedure and intentions. As the hon. Member for Finsbury did not hear the statement of his noble Friend, it might be inferred that he did not thoroughly understand the question in its details, or at least that he had learnt them at second-hand. The hon. Gentleman was wrong in his calculation with regard to Paris. A city with hardly any sewers, where cesspools universally prevailed, could hardly be considered as a model for adoption. Imperfect in many respects as London was in sanitary appliances, it must be allowed that Paris was a great deal worse. The hon. Member for Finsbury also complained of the proposal to erect a fever hospital in a crowded parish. He thought that a gentleman connected with the medical profession would have appreciated the difficulties which beset such a question, looking at the feeling which ought to be shown for the patients. When the enormous extent of the metropolis was considered, the miles upon miles of buildings on every side which existed, it must be considered that it was no light thing for a fever patient to be conveyed and jolted through crowded thoroughfares till he arrived at some hospital built on a spot which had not yet been surrounded with buildings. A moment's consideration should convince the hon. Member that the question could not be disposed of in the off-hand and easy way he seemed to suppose. With regard to the expense of the survey referred to by the hon. Member for Bodmin (Mr. Wyld), he (Lord Ebrington) believed that, from the best estimate, the expense would be 27,000*l.*, exclusive of the cost of engraving. The noble Lord, in conclusion, congratulated the House on the unanimity with which the proposed measure of his noble Friend had been received.

Mr. HODGES approved of the Bill, and thought the noble Lord had exercised a wise discretion in excluding the metropolis from its operations, and trusted he would make it the subject of separate legislation.

Mr. BROTHERTON expressed his approbation of the Bill.

Viscount MORPETH replied. He begged to express the gratitude which he felt towards hon. Members for the manner in which they had received the statement he had had the honour to make; and he hoped he might look upon it as ominous of future success. The only comment with which he was at all disposed to quarrel had been made by the only hon. Member who had not heard the statement. He was

glad to see the hon. Member (Mr. Wakley) again in his place, in full health—certainly in full vigour; but if he had heard the explanation of the provisions and intentions of the Bill, he would have spared some of those remarks in which he had indulged. He (Viscount Morpeth) would not repeat what he had already stated respecting the metropolis. He looked upon it as most desirable that they should apply to the metropolis the same principles of legislation which were deemed correct as applied to all other parts of the country. There was no intention to make any exception; but there were certain particulars and details in the case of London which rendered it absolutely necessary that there should be separate legislation. He was strongly of opinion, seeing all that was now being done there, that the metropolis would in time take the lead in sanitary progress, and present a perfect model to the rest of the country. With regard to the suggestion of establishing fever hospitals in the outlets, it would receive the most serious attention from the Government; but the transference of fever patients would be certainly attended with serious difficulty. But it would hardly have been wise in the Government to have attempted to introduce into that measure such arrangements as would have opened up the large and extensive question of the establishment of cemeteries—a subject that required great deliberation and caution. The Bill, however, was comprehensive enough in this respect; not only, as he had stated, would it be in the power of the Central Board to prohibit the use of any burial-ground which was shown to be obnoxious to the public health, but it would also be enacted—and this he had omitted to state—that in future, after the passing of this Act no corpse or corpses should be buried in any new burial-ground which had not obtained express license. Powers would also be taken for purchasing or hiring premises for the reception of the dead, previous to their interment, the want of which accommodation had been the source, he believed, of much distress, many harassing scenes, and many injurious influences among the poor. The Government would not shrink from their duty on all these subjects; but hon. Members must remember that they were subject to the usual law in human affairs; they could not do everything at once, and if they attempted such an impossibility the result would assuredly be that they would do nothing at all.

Leave given.

Bill brought in and read a first time.

AMENDMENT OF THE POOR REMOVAL BILL.

Mr. BAINES asked leave to bring in a Bill to amend the procedure in respect of orders for the removal of the Poor in England and Wales, and appeals therefrom. He said that the present system required alteration, in consequence of the appeals that were made by the removing parish on the one side, and the parish to which the poor were removed on the other, each of which declared to the other the grounds upon which they proceeded. The clause which enacted that provision was originally a good one, and well intended. But many legal questions had subsequently been raised upon it; and the consequence at length was, that questions respecting removals of the poor were now never tried upon their real merits, but upon mere legal technicalities. Such had been the state of things for the last ten or twelve years. It proceeded from there not being in the original Poor Law Act a provision relating to the grounds of removal, and providing for the appeal. The object of the Bill which he (Mr. Baines) now sought leave to introduce, was to do away with the consideration of mere technicalities, and to cause the questions of appeal to be tried solely upon their real merits. The order of removal itself might also be amended in certain points so as to meet the justice of each case. Another point in his Bill was this—that it would vest a sufficient power in the sessions to decide on the ground of appeal. That power would be vested absolutely in the magistrates, so as to prevent the parishes from being harassed by the expenses to which they had heretofore been subjected, and the magistrates from having *mandamuses* applied for to the superior courts of law, to be issued to them. One other point in the Bill would be the giving a power of obtaining the order of removal at any time.

The CHANCELLOR of the EXCHEQUER hoped that the Bill would have the success which his hon. Friend expected from it in preventing litigation. But he feared it would not. He felt by no means sure that new subjects of litigation would not arise out of a new Act, however carefully prepared.

Leave given.

COMMERCIAL RELATIONS WITH CHINA.

Mr. CARDWELL: I rise to bring under the notice of the House the report of the Select Committee appointed in the year 1847 to take into consideration the present state of our commercial relations with China; and I hope, Sir, notwithstanding the lateness of the hour, that the House will allow me to bring forward the Motion of which I have given notice for this evening. And, in doing so, I must say that I regret it cannot be introduced to the House by my noble Friend (Lord Sandon), who, in the last Session of Parliament, presided over the inquiry, and who prepared this able report. I have also to apologise to the other Members of the Select Committee for taking or appearing to take the subject out of their hands. But, considering the early period of the Session at which the financial statement, as has been announced by the noble Lord opposite, will be made, and finding that no notice upon this subject has as yet been given, I thought it was one which should not be allowed to slumber, and that there should not be a consideration of the financial prospects of the year without any reference whatever being made to the evidence and report I hold in my hands. To the importance of the subject it cannot be necessary for me to call attention. It cannot be necessary for me to call the attention of the House to the expectations that were entertained with respect to the prospects that were to be opened to our traders and manufacturers by the establishment of free intercourse with the great empire of the East, for the House is fully conscious of the necessity of finding continually fresh and increasing outlets for the productions of our great manufacturing powers. And we are also, too, conscious that it will be necessary, if our large manufacturing population are to be kept in a condition of employment and increasing comfort at home, that we must go beyond the limits of Europe, and the supply of the demands of civilised nations, and seek still further outlets for British manufactures. In some respects the trade with China did appear to bear out the expectations that had been formed of it. The export trade which, in the year 1827, amounted to 610,000*l.*, had in 1843 grown to nearly 1,500,000*l.*, and in 1845 it amounted to 2,394,000*l.* But this was not all that we were encouraged to expect from the opening of the trade with China. When fifteen years ago the trade with the eastern empire was opened to general competition, we were told that the population of an empire like China, represented generally as amounting to 300,000,000—a population comprising a very large portion of the entire population of the globe—a people not by any means deficient in civilisation, and, though existing under such different circumstances from ours with regard both to production and consumption, abounding in industry and the spirit of commerce—and with such a people we promised ourselves that our export trade would have greatly exceeded 2,400,000*l.* before this time. We have not, however, been in that respect gratified; but such as the trade with China has been, a very large portion of it has fallen to this country; and it is important to our domestic interests that we should, so far as we possibly can, encourage and increase it. Let us take the returns of 1845. They show that, of 20,000,000 of dollars value of ordinary trade, no less than 16,000,000 were imported into China in British ships, and 3,000,000 in American ships, leaving not 1,500,000 dollars worth of imports for the ships of all the rest of the world. There is, besides, another large branch of trade not included in these returns—I mean the trade in opium—the larger proportion of which belongs to the dependencies of this country, and which amounts in addition to 23,000,000 dollars. So that out of imports to the amount of 43,000,000 of dollars, little more than 4,000,000 belong to other countries. Now, Sir, this is not a trade that can be disregarded by those who have any interest in the commerce of this country. But this trade, as the House will observe, sustained about the year 1843 a most remarkable increase; for while our exports to China had never before exceeded about 1,000,000*l.*, they suddenly rose at that period to a million and a half, and from that to two millions. Sir, I am sorry to say that we found in this Committee, as stated in the first page of the report, that that increase of trade has been attended with no corresponding benefit to England—that the great increase of trade which has taken place has been attained by carrying on trade at a loss, which may be stated on the whole to amount to from 35 to 40 per cent. Now, notwithstanding this loss, the increased trade has now gone on for three or four years. This circumstance, I believe, may be thus explained: The trade was at first in the hands of British merchants, who, when it ceased to be remunerative, discontinued it. But it

was then taken up by the manufacturers, anxious to find a market for the increasing produce of their manufactories. It turned out unsuccessful in the hands of the manufacturers; and it was then taken up by the natives in China, with the view of finding a market for their teas. It was also unremunerative to them; and the consequence naturally to be expected was the diminution of the trade, until it reached that point when it would be profitable to the merchant. The result was such as necessarily follows, for unless trade can progress profitably it must necessarily contract, and after being carried on on an extensive scale it will invariably go down again until it reaches a limit at which it can be a remunerative trade. But why have we found the trade with China to be an unremunerative trade? What are the returns that China has as yet made for the commodities which she has received? These returns comprise three principal articles. They are — silver, of which about 2,000,000*l.* is annually exported; silk, which to the value of 1,500,000*l.* is annually exported; but, after you have done all you can in the way of returns by silver and silk, you come to what must always be from China the great article of export—I mean, of course, the article of tea, of which about 6,000,000*l.* worth is annually exported. In a despatch from the British Consul at Canton, dated the 15th February, 1847, I find these words:—

"Assuming that the American and the trade of other foreign nations leaves an excess of exports over imports of about a million sterling, the approximate balance of trade against China would be nearly two millions, constituting the sum annually drawn from this country in specie to pay for opium. How long the Chinese will be able to sustain this continual drain of the precious metals is impossible to determine; but the fact being now well established that the export of tea to England cannot be increased under the present system of duties, it is not difficult to foresee that unless a new opening be found for a larger consumption of China exports in our markets, a gradual reduction must take place either in the quantity or in the prices of our imports in China until they come to a proper level. On the other hand it is beyond calculation to what extent the Chinese would purchase our woollens and cottons, were we enabled to take their produce in return, especially after having obtained the legalisation of the opium trade."

He further states, that in this he is borne out by Sir John Davis, by whom his words are quoted:—

"It must be borne in mind that the import trade is regulated by, and depends wholly on, the export trade, and that therefore only an increase of exports can cause a corresponding increase in imports. The China trade being essentially a direct barter trade, it is obvious that unless means can be found to take from the Chinese a larger amount of their principal export, tea, there seems to be but a limited prospect of deriving for the British manufacturing interests all those advantages which the new position which we hold in this country consequent upon the late war might lead them to expect."

Now, why is it that we have been unable to take a larger quantity of tea? The House will not be unprepared for the discovery of the Committee on this matter, that it is the rate of duty which we have been obliged to levy on tea which has retarded the export trade from China to Great Britain. The import duty on tea in this country may be taken as averaging upwards of 200 per cent on the export cost of the article. An instance was lately brought under my notice of a quantity of tea of a very inferior kind purchased in Liverpool, and which I believe ultimately went for the supply of a poor-house in Cork, on which the duty paid was 1,000 per cent on the price of the tea. But it is not merely the amount of duty levied, but the fact that the levying of a high rate of duty requires a greater amount of profit on the capital employed, which presses injuriously on the trade. It has been stated by competent authorities that a duty of 2*s.* 2*d.* a pound to the revenue, is equivalent to 2*s.* 9*d.* a pound to the consumer. So that, independent of the duty, the ordinary profit on the amount paid in the shape of duty, is, in the instance of the inferior article, actually double the value of the tea. As I before said, we do enjoy in the Chinese market a larger proportion of the trade than any other nation; but observe who are our closest competitors in the trade—the people of the United States. Now, in the colder parts of China, the articles of manufacture most in request are the coarser kinds of cloths, in which articles the Americans have the greatest advantage in competing with us. There is, I believe, no duty upon the importation of tea into the United States; and I ask the House to observe the disadvantageous position in which the manufacturers of this country are consequently placed in competing with American manufacturers in the Chinese market. England imposes a duty upon tea varying from 200 per cent, up to 1,000 per cent, in exceptional cases, upon the value of the article; while the only rivals we have in that particular branch of manufacture impose no duty at all. I hold in my hand a commercial cir-

cular, dated the 31st December, 1847, from the house of Hollinshead and Tetley, of Liverpool. They state that in 1837-8 the exports of cotton from the United States to Great Britain were 1,165,000 bales, while in 1846-7 the exports were 830,000 bales, and that in the same time the quantity consumed in the United States rose from 246,000 bales in 1837-8, to 427,000 bales in 1846-7. The circular further states—

"This year will be memorable in the annals of the cotton trade—it has been disastrous to all interests concerned in it. The decrease in the consumption has been without parallel; and as the case is wholly different in France and in America, the contrast affords matter for serious reflection."

Now, I call attention to this circumstance for the purpose of showing that it is not unimportant to watch with vigilance in this important market of China the degree in which we may be able to supply the market by our exports. But we find that there is one very serious obstacle to any alteration in the duty on tea, and that obstacle is expressed in the sentence of the report :—

"The revenue derived from tea in the last year amounted to 5,110,897*l.*, and although this amount of revenue cannot be permanently relied on, being founded on a consumption which has been carried to that extent by prices not remunerating to the importers, and which are therefore not likely to be continued, yet it is no doubt so important an element in the income of the country, that under present circumstances it cannot be lightly dealt with."

Now, I am as much alive as anybody can be to the importance of revenue considerations; but we also found on inquiry that it was by no means certainly to be concluded that five millions of revenue would, under the existing duty, continue to be received from tea. We find, as I have already stated, that since 1843 the tea trade has been a losing and not a remunerating trade. But I find that in 1842 the revenue received from tea barely exceeded four millions, and that in 1843 it did not equal four millions and a half. I have not seen the official returns for 1847; but I have some reason to believe that in that year the revenue from tea will barely have amounted, if indeed it has amounted, to quite five millions, it having in 1846 been 5,110,000*l.* But, as I before remarked, our trade with China was considerably diminished since 1843, for I find that while the exports of cotton cloths in the year 1844 to China were 1,464,000*l.*, and in 1845 1,543,000*l.*, being on the average of the two years one million and a half, the exports of the same description of goods in 1846 had fallen to 940,000*l.*, and in 1847 to 888,000*l.*; and I am afraid that we can scarcely venture to hope that there is a better prospect for the year 1848. In proof of this, I may allude to a return which I received this morning from a gentleman who is well known in this House, and who was Member in the late Parliament for Sandwich. He states that whereas in January, 1845, the exports amounted to 91,000*l.*; in 1846, they were 78,000*l.*; in 1847, they were 117,000*l.*; in 1848, they were 304*l.* I find also that with regard to the shipment from Liverpool to China, the amount of exports for 1845 were 112,372,565 yards; in 1846, this had gone down to 76,035,749; and in 1847, to 56,789,486, or just one-half of what they had been two years before. But if this be the case, it must of necessity follow that the exports which are to insure these imports into China, must diminish also, which of course must lead to a corresponding diminution of revenue; and, therefore, while we reported that so important an element in the revenue of the country could not be lightly dealt with, we also found that there was the strongest reason to believe that under the existing state of the law that amount of revenue cannot be permanently maintained. We found it necessary to consider what the effect on the revenue would be of any change in the rate of duty. Some important statistics were brought before us to show, in regard to the past year, what the effect of a change in the rate of duty would be upon the revenue. They will be found at page 443 of the report. From the table there given it appears that in 1782 the duty was 66 per cent, and the quantity of pounds consumed 6,202,257. In 1784 the duty was 12*l.* 10*s.* per cent only, and the quantity of tea consumed rose to 10,150,700lbs. That rate of duty continued down to 1795, when the consumption had risen to upwards of 21,000,000lbs., the total increase in the twelve years being 350 per cent, of which, in the two first years, the increase was no less than 113 per cent. I quote this for the purpose of showing that we have some reason to believe that by a judicious change in the rate of duty some increase in the consumption of tea, and, therefore, of increase to the revenue, might be secured. I find in the evidence brought before this Committee, with regard to the quantity of tea con-

sumed, that in families where expense is not an object, the consumption of tea may be taken at from 12 lbs. to 13 lbs. per head; in workhouses the average consumption amounts to $3\frac{1}{4}$ lbs. per head; for emigrants the amount is 4 lbs. 3 oz. per head; in the Navy it is 5 lbs. 4 oz., besides cocoa and other articles; in the Channel Islands the consumption averages 4 lbs. 4 oz. per head; in Australia there is reason to believe that the consumption is rising to 8 lbs. or 9 lbs. per head; while in the United Kingdom we find that the average consumption is not more than 1 lb. 10 oz. per head, or somewhere about half the consumption allowed in workhouses. I think it cannot be contended, after these returns, that there is not a capability of increasing the demand for tea among our own population at home, provided you can bring it within the limits of their expenses, when we find that in the Australian colonies, where there is no duty on tea, the average consumption is 8 lbs. or 9 lbs. per head, while in the United Kingdom it is but 1 lb. 10 oz. per head, or only half the quantity allowed to the poor in our workhouses. Some calculations were made and presented to the Committee, showing what the effect on the revenue would be of an increased consumption of tea under a lower duty. Those who desired to see a reduction of duty wished that it should be reduced from 2*s.* $4\frac{1}{2}$*d.* to 1*s.* per lb., and they calculated the probable effects of a reduction to that amount. Supposing that the same quantity of tea were consumed as at present, the revenue at the 1*s.* duty would be 2,300,000*l.* If the same sum of money continued to be expended on tea as at present—and that I think of all the calculations is the most reasonable, for no one will, I think, be found to say that that is a rash mode of framing the calculation—there would be an additional consumption of 24,000,000 lbs., and an increase of 1,200,000*l.* to the 2,300,000*l.*, giving in the whole a revenue of 3,500,000*l.* as received from tea in the first year of the reduction. But into this account is also to be taken the average quantity of sugar which would be consumed for that extra consumption of tea, according to the proportion now used; and if you take 32,000 hogsheads of sugar as the additional quantity required for the 24,000,000 pounds of tea, you will, taking the lowest rate of duty, have an additional revenue from sugar of 455,000*l.*, leaving a total of 3,962,000*l.* on which you may count under your existing trade with China. On referring to the returns for 1842, you will find that this calculation exhibits about the same amount of revenue as was received in that year from tea, and that, it should be borne in mind, was the last year in which we had a remunerative trade with that country. What guarantee have you, I would ask, that you will be able to maintain your amount of revenue from this source beyond the amount at which it stood when you had a remunerative trade? Another calculation which was brought before us, but which I will not take as the basis of my computation, as the result would be more sanguine than I am disposed to give, was this. It was stated in evidence that in the year 1844 a change took place in the mode of levying the duty on tea in the Isle of Man. As the mode of levying the duty in that island was of a very complicated nature, I will not enter into any details with regard to it; but the practical effect was to diminish the cost of tea to the consumer by 1*s.* 6*d.* in the pound. The consequence was, that while in 1844 the consumption of the island was 75,000 lbs., it increased in 1846 to 133,000 lbs., or very nearly double. Now, though I admit that it would be exceedingly rash in the Committee to have made that the basis of a computation for the whole of the United Kingdom—and I, for one, would be no party to such a proceeding—still I think that, as I am laying before the House a calculation based on principles of caution, I should not act right in closing the case without calling your attention also to this, the most recent instance which we have had, of the effect of a reduction in duty on that article. But then you may ask where are the resources to come from to purchase these 24,000,000 lbs. additional of tea, and the additional sugar which was to be used at the same time to make up the amount to the revenue? The reply is obvious. The money now spent in tea alone would, as I have said, if the duty were reduced to 1*s.*, provide for the purchase of the additional quantity of tea; but if we imported 24,000,000 lbs. additional of tea, we should have a largely increased export trade to China; and the value of these exports would go to a great extent in wages to the operative classes, and would give a great increase to the means of the labouring population for the purchase of both tea and sugar. And if you thus stimulated industry, and added to the exports and imports of the country, and to

the interests of your artisans and of your shipping, you would of course stimulate the demand for other articles, not only among the necessaries but the comforts of life, and you would thus also tend to increase the receipts of the Exchequer. By that means the Exchequer, sympathising with the community, would be benefited, and the increase thus obtained, ought not to be left altogether out of consideration. But we are told by some of the witnesses that the supply of tea from China might be expected to fall short, and that therefore an increased demand from England might have the effect of raising the price in China, and the public here would not get the full benefit of the reduction. On that point we took great pains to examine witnesses at great length; and if any hon. Gentleman will turn to the index to the report under the head, "Supply of tea," he will find that we had the advantage of men of the highest experience and judgment on the subject. Among them were Mr. Fortune, a gentleman who resided for some time in China, where he was engaged in inquiries of a botanical character. We had also the advantage of examining an hon. Member of this House, who has been most intimately acquainted with the Chinese trade. The hon. Member for the borough of Ashburton (Mr. Matheson), and also my hon. Friend the Member for South Lancashire (Mr. Brown), whose knowledge of trade on this as well as on all other matters is most valuable, together with the hon. Member for Dartmouth (Mr. Moffatt), and many other eminent men of the greatest experience and knowledge on the subject. The uniform result of their evidence is, that there is not the slightest fear that any additional demand we could make on China for tea would occasion anything like a scarcity or an increase in the price of the article in that country. On the contrary, it was stated that the enormous population of that country were far greater consumers of tea than we could ever hope to become in this country—that the greater portion of the 300,000,000 of inhabitants in China were in the habit of making constant use of that beverage—and that the small increase in our demand would be felt as nothing in their market. We were also told that an increased demand for tea in China has always had the effect of producing an increased production; and that whatever failure might result in our calculation, it certainly could not arise from any dearness in China caused by an increased consumption in this country. In China the land used for the growth of tea is most abundant, and there is every facility for the cultivation of that article, so that with any degree of increased demand there will be an increased supply. There is one article on which I acknowledge we may produce a deficiency of revenue to the Exchequer; but about this article very little was said in the Committee. My hon. Friend the Secretary of the Treasury gave us the advantage of his presence; and he very naturally directed his attention to questions of revenue. But he said very little about the diminution we were likely to occasion in the duties raised upon spirits. I was not at all astonished at the discretion and good sense exhibited in that particular by my hon. Friend. In the course of the last Session he moved for a return in connexion with this very subject, from which it appeared, that in 1841, the population being 26,700,000, they consumed no less than 24,000,000 gallons of spirits; whilst in 1845 the consumption was raised to 26,672,000 gallons; and he showed us the extent to which the population of Scotland, in many respects so very commendable for the qualities of industry, sagacity, and thrift, had, in this particular article of spirits, contributed to this result. In 1841, the population of Scotland being 2,628,957 persons, the quantity of spirits entered for consumption was 6,078,719 gallons; and in 1845 that quantity had risen to 6,525,489 gallons. I do not know to what extent the duties in Scotland may have affected that calculation; but I know, that for the whole United Kingdom, with a population of 26,700,000, the consumption of gallons of spirits was upwards of 24,000,000. All I can say is, that having (as becomes me) most special regard to Her Majesty's Exchequer, if there be one source of revenue I should see decline with unfeigned satisfaction, it is that which flows from the duty upon ardent spirits; and I should be exceedingly well pleased if the Chancellor of the Exchequer should have it in contemplation to make a reduction in the tea duties this Session of Parliament, to find he had calculated upon a falling-off in the duty of spirits. And however sorry I should be to hear the statement with regard to any other article, so far as the revenue is concerned, I can only say I would cheerfully go with him into Committee of Ways and Means, in order to enable him to supply the deficiency by a

duty upon almost anything else to compensate him for the loss he had sustained upon the diminished consumption of spirits. Having so considered the question of revenue, let me now ask you, are you satisfied with the exhibition of the trade between Great Britain and China? You see a very large population of China—a large proportion of the whole population of the globe—having many of the things you want, and wanting everything you have. The population of China is 300,000,000; yet your exports to them have never risen, except when the trade has been unprosperous to us, beyond the value of 2,000,000*l.* 2,000,000*l.*, the value of our exports to 300,000,000 of people! Why was that? Was it from any want of sagacity on the part of the Chinese? They are proverbial for it. Is there any ignorance on their part of commercial principles? They are alike distinguished for industry, and for a desire to promote their commercial interests; they are exceedingly keen dealers, and exceedingly fond of money. Is it then that the Chinaman, having strained notions of his own civilisation, and a peculiar contempt for the foreign barbarian, has raised up some obstacle to intercourse which your practised ingenuity has not enabled you to pass? There was a day when apprehensions of that kind were seriously entertained. We used to be told fifteen years ago their prejudices were insurmountable. In 1844, the treaty was concluded with China, which allows your imports to enter at very moderate duties; and you can now export your manufactures to China at duties varying from five to ten per cent. But there is one obstacle, and it exists not with the uncivilised, but with the civilised, not with the barbarian, but with the refined people. I have shown you, by the most unanswerable arguments, by the testimony of your own Consuls, vouched for by your own Governor, that there is but one limit to your trade with China, and that is the amount to which you take their exports. I have shown you, by irrefragable testimony, which has been given before the Committee, that there is but one appreciable limit to the consumption of tea, and that is the duty which the wants of your revenue have compelled you to put upon it. Now, although the Chinese are called by us an uncivilised people, they have sagacity to learn, and I much fear you have been teaching them the lessons of civilised people, which they will put into use to your injury. On reading the accounts received from China we have too much reason to believe they are becoming apt proficients in the arts of reciprocity; and although you have bound them by a treaty from charging upon your imports at the port of import a higher duty than I have specified, I believe it is the Chinese exporter who, as I showed you, has been the last link in that chain by which the losses of our over-exportation was sustained, who has been the means of communication between your tariff and his Government. I believe if they cannot lay on duties at the port of import, there are inland and transit duties which may be the means of making your imports available to their revenue; and I doubt, if this state of things continue long, whether you will not find that, although prohibition has begun with the civilised, and not with the uncivilised people, that the uncivilised have been apt scholars in your school. You will have a hostile tariff upon the other side, and there will then exist in China, what does not exist yet, a hostile legislation upon a subject which your provisions in this House of Parliament will have no power to alter. I have endeavoured to compress my observations into the smallest possible compass. It is not for me to divine what may be in the breast of the right hon. Gentleman opposite. Of those parts of the case which are known to the public, of course I cannot be ignorant; but, as I said before, we should be wanting exceedingly in our duty if we, the Members of the Committee, permitted the able report of my noble Friend (Lord Sandon), and this large mass of testimony, to slumber upon the table. I do not think the House ought to wait for the financial statement before discussing this important subject. It is not for me, however, to anticipate what the right hon. Gentleman may have to offer. In former years we have seen a deficiency of revenue made the occasion for relieving the springs of industry. If the right hon. Gentleman have any schemes of that kind to expound to the House, I am sure he will be thankful to me for having been a useful pioneer, and for having, by a mere statement of the facts mentioned in this report, laid the matter before the House. If the necessities of the case shall prevent his holding out that expectation, I shall have the satisfaction of feeling that we who were connected with this inquiry, have, so far as time and circumstances and ability enabled us, with brevity, but as clearly as we could, laid

the case before the country and the House; and I think we shall approach the financial statement with a great degree of information, without which we should not have been able to judge of it. The hon. Gentleman concluded by moving—

"That there be laid before this House, Copies or Extracts of any Documents relative to the state of our Commercial Relations with China, which may have been received from the Governor or fro many of Her Majesty's Consuls in that country since the 1st day of July, 1847."

Mr. EWART seconded the Motion, and said that for many years he had taken a deep interest in this question, connected as it was with the vital interests of our commerce and manufactures. For a considerable time he had thought the period had arrived when an enlarged view should be taken of our general system of taxation; and on the questions of the tea, tobacco, and wine duties, he conceived it became a Minister who took a comprehensive view of the interests of the country to consider how far he could reduce our high customs duties, in order to encourage the importation of such articles in exchange for our manufactures; and how far the excise duties could be reduced to encourage our industry at home. Among the mercantile and manufacturing communities great anxiety was felt with regard to the changes about to be proposed; as a general supporter of a liberal Government, he looked, therefore, with considerable interest to the policy which was about to be pursued. He had been a Member of the Committee on our relations with China. He entirely concurred in the views of the hon. Member (Mr. Cardwell). To his able speech there was little to add. But there was one point on which he (Mr. Ewart) wished to dwell. It was the severe manner in which the tea duties pressed upon the poor of this country. Whilst we taxed the rich man's tea but 100 per cent, the duty on the poor man's tea was 300 per cent, and on some sorts 350 per cent. This was not the view taken by Mr. Pitt in 1796, when he altered the tea duties. In a speech which he made on that occasion, he said—

"It was his intention that the tea duty should in no degree be allowed to bear hard on the poorer classes of the community. He, therefore, meant to exempt from this tax the whole of the coarser sorts of tea which was the beverage of the poorer classes."

Besides which, by means of an *ad valorem* duty, levied through the instrumentality of the East India Company, he made the duty upon tea proportionate to its sale price. The next point to which he (Mr. Ewart) desired to allude was, the effect of the reduction of the duties upon coffee and cocoa, as compared with the effect of the non-reduction of the duty on tea. Within a few years the duty upon coffee had been reduced from 9*d.* to 4*d.* per lb.; and on cocoa, from 1*s.* to 2*d.*; the effect of this reduction had been, that the consumption of coffee had increased 500 per cent, and that of cocoa 1,000 per cent. On the consumption of tea, however, the increase had only been 130 per cent. Our consumption in this country was only between 1 lb. and 2 lb. per head, while it was 2 lb. in the Isle of Man, 4 lb. in Jersey and Guernsey, and in Australia 9 lb. Lastly, he asked, why should we allow this trifling barrier of a customs duty to obstruct the enormous intercourse of two great nations? On the one hand, there was Great Britain, able to consume an immense amount of tea, and China, perfectly able to produce that amount; on the other hand, there was that same China, capable of consuming an almost unlimited amount of our manufactures; yet by this fiscal embargo of a high duty the extension of commerce was forbidden, and changes were refused which would have been fraught with benefit to the poor. He (Mr. Ewart) repeated that duties such as this on tea should be very seriously considered by the Government, and that a comprehensive review should be taken of the excise duties also. Since 1830, when the late Mr. Poulett Thompson brought the whole subject of taxation under the consideration of the House, the excise duties had been seldom mentioned; but the time was now come when the propriety of their revision must be considered. He was ready to support additional taxation upon accumulated property if it were necessary; he would not say the same as to the income-tax; he thought that ought to be considerably lessened; but realised property ought to bear a larger proportion than it did of the burdens of the State. By such a course alone the commerce and manufactures of the country could be relieved, and the prosperity and safety of every class eventually promoted.

The CHANCELLOR of the EXCHEQUER: I am sure the House will agree with me when I state that we are deeply obliged to the hon. Gentleman opposite, for the able statement he has made in calling our attention to the report of the Committee which sat to inquire into our commercial relations with China. I think,

however, we must not argue too much from the statements he has made, though I believe those statements are perfectly true, as to the present depressed state of the trade with China. I think the statements which the hon. Gentleman (Mr. Cardwell) has just made, are in themselves sufficient to account for the depression which at present prevails in the trade to China. Those statements were, in effect at least, that the merchants had from the first opening of the trade found they were carrying on a losing concern. This, I believe, is almost universally stated to have been the case upon the opening of any new trade. It was notoriously the case with the States of South America. The whole mercantile world rushed at once into that trade; the exports increased to a great amount, the markets were glutted, prices fell, and great disaster was the consequence. This appears to have been exactly the case with the first exports of British manufactured goods to China. The hon. Gentleman stated, the merchants had found it a losing concern: the manufacturers too had found it a losing concern; the manufacturers having given it up, the native merchants, not deterred by their example, adopted it, and they too found it a losing concern. I believe, as I have said before, the fact to have been, that the Chinese markets had been glutted, in the first instance, with the vast quantities of goods exported from this country; and however lamentable it might be that such a check should have been put upon the trade, the present depression is the undoubted result of an over-exportation in the first instance. It was remarked years ago that this would be the case should the trade with China be opened; and that judgment being founded upon the results in similar cases, was found to be correct. I mention this because some stress has been laid upon a diminution of the trade with China in one particular year, without looking at its permanent condition. In 1843, there was an addition of 500,000*l.* suddenly to a trade which in the year before was only valued at 1,000,000*l.* In the next year, it rose to 2,300,000*l.*; and in the next, 1845, to 2,400,000*l.* In the years 1843, 1844, 1845, the trade more than doubled its amount in the preceding years; and if in subsequent years there was a falling-off, it was not more than might have been expected. With regard to the general positions laid down by the hon. Gentleman, I entirely agree with them. I have not the least doubt that if we could lower the price of tea in this country, the consumption would be extended, and in time the revenue be maintained. I have not the least doubt, again, that the quantity of goods we send to China must materially depend upon the amount of returns we can get from that country; and that to take their tea would considerably extend our exports to China. I have not the least doubt, again, that the result of this proceeding would be to benefit the consumer, the manufacturer, and the shipowner of this country. Nor am I afraid, though the loss of revenue might in the first instance be very considerable, that it would not in time be made up by the increased consumption of tea in this country. That will be true of tea, I have no doubt, which has been true of coffee, and of the other articles to which my hon. Friend (Mr. Ewart) alluded. The same arguments may be used with regard to tobacco. They are true of all articles upon which high duties prevail; lower the duties, and in time the increased consumption will make up for the loss of revenue. Whether a larger consumption of tea would diminish the consumption of spirits, I do not know. I agree with the hon. Gentleman, that if there is any article in the world from which I should like to see a reduction of revenue, it is spirits. Probably an increased consumption of tea might lead to that result; but I am afraid the supposition of taxation depending upon profit and loss would not be altogether acceptable in this case, because if you only set the diminished consumption of spirits against an increased consumption of sugar, there must be an increase of profit from some other source in consequence of the loss by the reduction upon tea. The hon. Gentleman (Mr. Cardwell) said, this loss was not likely to happen. The recommendation of the Committee is, that the duties on tea should be reduced to 1*s.*; and my hon. Friend (Mr. Ewart), who spoke of an *ad valorem* duty, concurred in that recommendation. An *ad valorem* duty, then, would not be advisable; the opinion of the Committee was decidedly in favour of a moderate fixed rate of duty upon all sorts, as much more equitable than *ad valorem* duties. If, then, the duty is to be reduced to anything like the amount recommended by the Committee, it is impossible it can be done without risking some 2,000,000*l.* of revenue, and that is not a matter to be lightly disposed of. The hon.

Member alluded to the distressed state of the country; and no doubt we may go to a very considerable extent if such a course is begun, whether in the reduction of the tea duties, or in taking off that tax of which the House has heard this evening, as "the most iniquitous tax which can be imposed"—the window-tax, or the reduction of the tobacco duties, or any others; but it must be made up from some other source. Whether they are to look to an additional income-tax or property-tax I will not pretend to say; but the House will hear in a few days' time the statement of my noble Friend (Lord J. Russell) on the subject of the finances of the country, and then you will be able to judge more clearly how it will be possible to meet so large a reduction of the revenue as nearly two millions. That such a diminution of the resources of the State will be very severely felt for years to come, I think no one will deny. I feel that I shall be discharging my duty if, on the present occasion, I abstain from saying one word more on that part of the subject. With regard to the Motion of the hon. Gentleman, I have not the slightest objection to it; I believe it to be merely for certain consular returns; and I conceive the object of the hon. Gentleman chiefly to have been to call the attention of the Government to the subject. I can assure the hon. Gentleman that it has occupied the attention of Her Majesty's Government for some time; and what the effect of our deliberations has been my hon. Friend will discover on Friday week, till which time I shall refrain from saying anything more on the question.

Lord G. BENTINCK: The hon. Gentleman the Member for Liverpool (Mr. Cardwell) appears anxious to extend the doctrine which has been set forth to-night—that the true mode of remedying deficiencies of income is to take off the burdens from the springs of industry. I think he has had some little experience of that mode of improving the revenue of the country. I recollect that a Committee of the House of Commons upon the Post-office duties reported in 1838 that by lowering the postage to one penny per letter, in the course of three years the deficiency of the revenue would be entirely made up. Ten years have now elapsed, and that which in 1838 amounted to 1,800,000*l.*, I believe now does not exceed 900,000*l.* net revenue. And when the hon. Member for Liverpool made the able speech which we have all heard with so much pleasure to-night, and when he told the House that the uncivilised Chinese were taking a lesson from us, and were likely to discover the advantage of reciprocity treaties, he did not appear to remember that that was exactly the argument I made use of about two years ago. The hon. Gentleman and his friends have devoured the entire pasture of the revenue, by taking off the duties on timber, which have gone into the pockets of the Norwegians, the Swedes, and the Prussians; by taking the duties off cotton, which have gone into the pockets of the Americans; by taking the duties off grain and brandy and silk, all of which have gone into the pockets of the different producers of these articles, so that no power is left for us to take off the duties of 250 per cent on tea, levied upon a country which is quite content to raise but 6½ per cent *ad valorem* duties upon the produce of Great Britain. About two and a half years ago I recommended the House to look to China instead of to free trade in cotton, in silk, in timber, and in grain, and to seek an extension of our whole foreign trade by cultivating our commercial intercourse with 300,000,000 of people who are so well disposed towards us. But when the hon. Gentleman (Mr. Cardwell) told us how the consumption of tea may be increased, and how greatly, from some change of duties in the Isle of Man, the consumption of tea had increased there, he forgot to tell us that there was a great deal of smuggling in the Isle of Man, and that the increase of consumption there is entirely superficial; that, in point of fact, the consumption was just as great as before, and that the reduction of the duty has only enabled the revenue to take the duty, instead of its going into the hands of the smuggler. When the hon. Gentleman calculated so surely upon the reduction of 1*s.* 2*d.* per pound in the duty on tea raising the quantity annually consumed in this country by 24,000,000 lbs., and thereby increasing the revenue derived from that article, he forgot to tell the House, by way of illustration, what the consumption of tea in the United States of America really was. The United States contains a population of 20,000,000, and, as the hon. Member justly told us, up to this time there has been no duty at all upon tea; but the hon. Gentleman forgot to tell us that it is a question now of raising the revenue in America by a duty upon that article, and that the entire consump-

tion is but 19,900,000 lbs. a year, being something less than one pound per head per year for that prosperous community. But my hon. Friend near me (Mr. Hudson) reminds me that there are other examples where the reduction of tariffs does not so entirely succeed, as it was generally supposed it would do two years ago, when everybody was gone free-trade mad, though now people are getting a little more sane, and thought that the sure mode of raising an increased revenue was to reduce the tariffs. My hon. Friend reminds me that there was a reduction of the tariff on railways. I unfortunately mixed myself up with certain free-trade directors, and took shares in the North Western railway. Mr. Glyn, the chairman of that railway company, was one of those who thought that a reduction of tariffs and low fares was quite sure to raise the revenue; and I am here one of the victims reaping only 9*l.* per share. [Mr. HUDSON: Eight—only eight.] Well, I am not so rich by a pound a share as I thought I was—but reaping only 8*l.* per share interest instead of 10*l.* per cent, and all in consequence of lowering the tariff of prices; whilst my Protectionist Friend here, of the Midland Counties, stoutly resisted any such new-fangled doctrine of economy, and maintained his high tariffs, and his constituents still continue to enjoy their full receipts. Under these circumstances, sorry as I am to oppose the reduction of the duty upon tea, anxious as I should be to see the reduction of the tea duty made up from those old duties which were so lavishly thrown away upon timber and corn, and French brandies and silks, and a variety of other articles from Prussia and elsewhere, with their high tariffs, which we were told would be shaken by the generous and gracious way in which we admitted their produce, yet unless I can hear from the hon. Gentleman that he proposes to make up the revenue from those articles which are now admitted free—unless I can hear from him that he is prepared, instead of an increased income or property tax, to lay on a fresh duty upon foreign timber, foreign grain, foreign brandy, and foreign silks—I am afraid I cannot back his prayer to the right hon. Gentleman, just at the time when we are losing revenue at the rate of 4,000,000*l.* a year, to take off another million or two, and trust to the success of that new doctrine of remedying deficiencies by relieving the springs of industry.

MR. MOFFATT thought the House and the country were deeply obliged to the hon. Member for Liverpool for having brought this subject under their consideration. The hon. Gentleman had laid the matter so well before the House that he was unwilling to add one word to what the hon. Member had said; but as he had some acquaintance with the trade, perhaps he might be excused for trespassing upon the attention of the House for a few moments. Before, however, touching upon the question, he must beg to make one or two remarks on what had just fallen from the noble Lord (Lord G. Bentinck). The noble Lord had said, that by adopting a free-trade system we had given our money to the growers of cotton. Now, the fact was, that the price of cotton had never been so low for the last ten years as it was in the autumn of 1846. The noble Lord asserted that we had sacrificed revenue by reducing the duty upon French brandy. The noble Lord would find, however, that since the reduction the increased consumption had been such as to go far towards remedying the loss of revenue. Again, the noble Lord referred triumphantly to the Post Office. When the postage duty was reduced to 1*d.*, it was prophesied that in five years five times as many letters would be carried through the post as would make up the loss of revenue arising from the reduction. At present the gross revenue of the Post Office, though the measure was not yet carried out completely, was within five per cent of what it was previous to the reduction. He agreed with the Chancellor of the Exchequer that it was no fair argument against a reduction of these duties to allude to commercial losses; those who went into commercial adventures must be content to bear those losses. This subject ought to be considered on higher grounds. He thought it resolved itself into two questions—a question of justice to China, and of expediency towards our own people. In the year of the great treaty with China, we dictated the terms (3 to 6½ per cent *ad valorem* duty) upon which they should accept our goods. At the cannon's mouth that treaty was signed, and the Chinese were in no position to enforce a system of reciprocity. The consequence was that this country maintained a duty of upwards of 200 per cent upon their staple commodity of export. He thought, then, that as a matter of justice to China this measure was required. As a matter of expediency towards ourselves, the mea-

sure was equally desirable, looking at it as a means of improving the morals and social comforts of the people, and giving a stimulus to the manufactures of this country. Upon these grounds he hoped the proposition would receive the serious consideration of the Government. He admitted that the question of revenue was a serious one; but he could not admit that a loss of 2,000,000*l.* would result from the proposed reduction in the tea duty. He was quite satisfied that such a reduction might be made as would prove a great and permanent relief to the people of this country, without causing any equivalent loss to the revenue. He believed, indeed, that a great advantage might be conferred upon trade by incurring only a very slight loss to the revenue.

Mr. W. BROWN rose to give in his adhesion to the opinions which had been expressed by the hon. Member for Liverpool. The hon. Gentleman was quite correct in asserting, that in the article of tea, as in all other articles, the reduction of duty would lead to an increased consumption. That had been invariably found to be the case; and the converse of the proposition was equally true, that an increase of duty would lead to a decreased consumption. It became then a mere question for the Chancellor of the Exchequer to consider how far he could reduce the duty upon tea, and yet maintain the revenue. He was glad to find that in a great measure his right hon. Friend coincided with the hon Member for Liverpool, and he hoped that at no distant day he would have the courage to take the bull by the horns; and if he could not obtain sufficient revenue from tea, to procure it from some other sources. He thought there were plenty of other commodities which it would be quite as just to tax as tea. Why not, for example, extend the legacy and probate duty to estates? He hoped, however, that the whole subject of taxation would soon be taken up and revised, and put upon a more permanent footing than at present. Looking to it as affecting the moral welfare and condition of the people, he thought the proposition of the hon. Member for Liverpool was entitled to the best consideration of the Government.

Mr. MASTERMAN rose to express his satisfaction that this matter had been brought forward, for it would at all events have the good effect of bringing it under the consideration of the House. He feared it would be very difficult to levy an *ad valorem* duty when all the sales did not pass through one channel; but he must repeat his satisfaction that the subject had been introduced, and he had no doubt that if the Chancellor of the Exchequer should find any revenue to spare, he would apply it towards reducing the duty upon tea.

Mr. BROTHERTON said, that there could but be one opinion as to the importance of a reduction of the duty on tea; and he hoped that whatever reduction might be made, the public would have the benefit of it. It appeared, from the returns on the table, that in 1815, 19,000,000 lbs. of tea were imported, and that the cost in China was 3,500,000*l.*; and that in 1846 the price paid for 46,000,000 lbs., was 3,000,000*l.*, being 500,000*l.* less for 46,000,000 lbs. than for 19,000,000 lbs. in 1815. If the duty was reduced to 1*s.* per lb., the consumption, to prevent loss of revenue, must increase to 90,000,000 lbs. Now, could that increase in the consumption take place without causing a reduction in the consumption of coffee? One pound of tea was equivalent to three pounds of coffee; and as the duty on foreign coffee was 6*d.* per lb., if the tea duty was reduced to one shilling per pound, it would encourage the consumption of tea in preference to coffee. If the reduction of the duty would have the effect of reducing the consumption of spirits, he considered it would be a great benefit to the country, and he would vote for the reduction, whatever loss it might be to the revenue. If, however, the increased demand for tea could not be supplied, the reduction of the duty to 1*s.* would either increase the cost price in China, or the selling price in this country; in either case the public would not get the benefit, and the Chancellor of the Exchequer would lose the duty. It was said that the reduction of the duty on tea would increase the exports of cotton and woollen goods from this country to China, which of late have decreased, and did not amount to more than 2,000,000*l.*; but we now imported from China tea, silk, and silver to the amount of 8,000,000*l.* How did we pay the difference? With opium. If anything could be done to put an end to that infamous traffic, they might then expect to increase the export of manufactured goods. The tea used by the poor was taxed three times as much as that used by the rich; and if they wished to give cheap tea to the poor, and increase its consump-

tion, they should adopt the principle of an *ad valorem* duty.

Dr. BOWRING said, that if his hon. Friend who had just sat down had read the evidence given with respect to an *ad valorem* duty on tea, he would no doubt have come to the conclusion, as he had done, that, however just the principle was in theory, it never could be reduced into practice. The most experienced tea merchants and tea brokers had declared that it would be utterly impossible to impose an equitable *ad valorem* duty. His hon. Friend had referred to the opium trade; but that drug had invariably been paid for in Sycee silver. The demand for opium in China was, unfortunately, so great, that for that, and for that alone, they paid in metal, while in every other case the operations of trade were carried on by means of barter. The noble Lord (Lord G. Bentinck) would allow him to say, that he was incorrect in the statement which he had made with respect to the smuggling in the Isle of Man. He denied that there had been any smuggling of tea into the Isle of Man, or out of it. The noble Lord had referred to a failure of the experiment of the diminution of duties. If necessary, he could show that the diminution of duties had led to a very considerable augmentation of the revenue.

Mr. Alderman SIDNEY said, that there were some fallacies in the arguments as to the augmentation of the consumption of tea. He had looked carefully over the report of the Committee, and found from that report that in 1801 the consumption per head was 1 lb. 3 oz. In 1844 the price was not one-third of what it was in 1801, and still he found the consumption only augmented to 1 lb. 10 oz. There was no doubt that if the duty on tea was lowered, the consumption would increase, and the profits of the merchant would also materially increase. At present they had great cause to complain of the unfavourable state of the trade with China. The question, however, was one for the Chancellor of the Exchequer; and he asked him to pause before he expected the consumption of 24,000,000 lbs. of tea to augment to 46,000,000 lbs. To have such an increased consumption, the quantity per head must amount to 2 lb. 7 oz. He ventured to say, that we must live for another half century before we could prevail on the people of this country to consume such an enormous quantity of tea. He was practically engaged in that branch of business, and he begged to say, that he differed from the hon Member for Liverpool in his statement that in a respectable family the consumption of tea was 13 lbs. per head. The thing was altogether fanciful. Some old women—washerwomen for instance—who lived upon tea, might consume this amount; but any gentleman taking half a pound per week would find his nerves so unstrung that he could not enjoy the blessings of sleep.

Mr. J. WILSON said, that no one expected an increase of consumption to take place amongst those to whom price was no object; but they expected an increase of consumption to take place by those using tea who did not at present enjoy the article at all. It was a fact well ascertained, that but a small portion of the population of Ireland consumed tea; and he could not doubt that the increase of the consumption of tea consequent upon a reduction of the duty would materially diminish the consumption of spirits. He congratulated the House on the unanimity which prevailed on this occasion, and thought he was able to point out a way by which the Chancellor of the Exchequer might relieve the country without endangering the Exchequer. In 1846 the consumption of tea was 46,700,000 lbs.; in 1847 it fell to 45,500,000 lbs.; and no larger consumption could be reckoned on for the present year than 44,000,000 lbs. If there was one article more than another which had shown a tendency to decrease in price, it was tea. In 1831 the consumption of tea was 31,000,000 lbs.; the price per lb. being 10*d.* higher than it was last year. In that short period we saw an increased consumption of 15,000,000 lbs. This consumption of tea had gone on *pari passu*, with a corresponding consumption of all other articles. He did not agree with the hon. Gentleman who had called the attention of the House to this subject, or with the report, that so large a reduction as 1*s.* 2½*d.* would be either desirable for the interests of commerce, for the benefit of the consumer, or the interests of the Exchequer. The stock was too small to bear such an increased consumption without a large augmentation of the cost price in bond. At the same time, he believed that a reduction from 2*s.* 2½*d.* to 1*s.* 6*d.* might be made without any material augmentation of the first price in bond, and without any reduction of the revenue even in the first years. The basis of the calculation was a consumption of 44,000,000 lbs., which, at 2*s.* 2½*d.* would give 4,858,000*l.*;

and as the largest portion of the tea used was sold at 4*s.* per lb., there could be little doubt that a reduction of the duty of 8½*d.* would lead to a reduction in the price of tea of 1*s.*; so that the same tea which was now sold at 4*s.* would be sold at 3*s.* Calculating that the same amount of money was spent as at present, the consumption would rise to 59,000,000 lbs. the first year. That was an increase of 15,000,000 lbs.; the same which had taken place on the reduction of 10*d.* during the last eight or nine years. This would give a revenue of 4,450,000*l.*; and adding the increased quantity of sugar which would be required for the increased quantity of tea, it would give a gross revenue of 4,912,000*l.*; whereas if the present duties were maintained, there would not be a revenue of more than 4,858,000*l.* He had merely taken an opportunity of throwing out this suggestion, that there might be a reduction made in the duty upon tea without a loss to the revenue, whilst the increase in the consumption would be no more than the present stock of tea would supply. The stock on hand was now about a year and a quarter's consumption, and there were 6,000,000 lbs. coming from China. The stock on hand and the quantity on the road would, therefore, be sufficient to meet a demand for an additional 15,000,000 lbs. of tea.

Mr. HUDSON hoped that the Chancellor of the Exchequer would not be induced by the specious arguments which were addressed to him to fall into the speculative projects recommended by the hon. Member for Liverpool and his Friends on the other side of the House. We might go on reducing duties; but we must not expect, from such reductions, an increase of consumption or of the revenue. To attempt to reduce the duty upon tea, in the present state of the finances of the country, would occasion great inconvenience. He was happy to see that the hon. Member for Salford had found out that a reduction of duty did not always lead to an increased consumption of the article. This question must be considered at some future day, when the revenue could better afford a reduction. The hon. Member for Salford was somewhat retreating from his free-trade principles. He must take that Gentleman's speech as an indication from that important district that those principles were not quite so popular there as they were sometime ago. Reductions of this kind had not always tended to the advantage of the consumer, for the amount of the reduction had almost invariably gone into the pockets of the foreigner. We had already sacrificed large sums for the benefit of the foreigner, and what return had we received? Had the reduction which had taken place in the duty on cotton, for instance, or in the timber duties, been attended with any beneficial results? He had an account of the quantity of cotton exported from Hull. In 1846, there were 45,000 bales of raw cotton exported; and in 1847, 75,000 bales. Of cotton twist, in 1846, there were exported 81,000 bales; and in 1847, 46,000 bales. Did not this show that other countries were becoming manufacturers themselves? China was one of the nations he was most anxious and ready to trade with; but we were not in a condition to sacrifice revenue in order to increase that trade. The House had been taking off duties one after another, and had prevented the Chancellor of the Exchequer from carrying his principles any further. He dared him to do it. His Exchequer-bills would soon go to a discount if he did. The hon. Member for Salford now came forward, and avowed at once that this principle would not do. He admitted that the effect of the principle was not so much to cheapen the article as to put a larger sum of money into the pockets of the foreigner. The hon. Gentleman (Mr. J. Wilson) had spoken of a 15,000,000lb. increase, which he attributed to the reduction of 10*d.* in the pound; but the House must not forget that during the last thirteen years the population of this country had increased to an enormous extent. The hon. Gentleman had said, "Oh! give the people more tea, and they will buy more sugar." But where was the money? A poor man, who with a large family had to depend upon 12*s.* a week, had not much money to expend in tea and sugar. It was all very well to make a speech about increased consumption of these articles in the event of a reduction of the duties, and the consequent increase to the revenue; but the Chancellor of the Exchequer would find that the difficulty was not so trifling as the hon. Gentleman would have him believe. The free-trade mania, which raged to such an extent a few months ago, appeared to be subsiding. Not long ago there was scarcely a railway board in England that was not all for free trade; and he had to be continually reminding those with whom he was connected of the great danger of losing a certainty in their attempt to get a speculative gain. The fact

was, that at the present moment there was scarcely a railway board that was not convinced, by experience, that low prices would not do in all cases, and that the system of cheap fares must be used with great discretion and judgment. He believed that if they had maintained the timber duty, it would have been of no disadvantage to the country. But, with regard to the duty on tea, he believed that the Chancellor of the Exchequer had no power to reduce it. He had at present a deficiency of 4,000,000*l.*; and he (Mr. Hudson) wanted to know what the hon. Member for London would say if the Chancellor of the Exchequer were to propose to take off a very large amount of the duty upon tea, which might have the effect of causing a further deficiency in the revenue of 1,500,000*l.* He wondered what that hon. Gentleman's friends in the city of London would say to such a proposition. Indeed, he did not believe that the hon. Member himself would support the Chancellor of the Exchequer in such a course. But the Chancellor of the Exchequer had objected, and rightly objected, to any such proposition, notwithstanding the sort of indemnity which the hon. Member for Salford was always prepared to give on such occasions, viz.—"Manchester says it's all right; never mind the revenue; its sure to right itself." He would be one of the very first to reduce the duty on tea as soon as the state of the country could bear it; but at present he felt bound to offer to the proposition for reduction his strongest opposition.

Mr. CARDWELL, in reply, congratulated the Chancellor of the Exchequer on the great amount of support he had received on the present occasion. He had never read or heard of an instance in which a Chancellor of the Exchequer had received so general and so gratuitous support from all sides of the House. First, came the noble Lord (Lord G. Bentinck) who contended that not a particle of the duty ought to come off tea; and afterwards the hon. Member for Sunderland (Mr. Hudson) laid his royal mandate upon the Chancellor of the Exchequer, and dared him to take the duty off tea, at the same time taking care to tell him that, in refusing to do so, he was turning his back on his own principles. Next, came the hon. Gentleman behind him (Alderman Sidney), who got up and gave the result of his great experience on this question. The hon. Gentleman wanted no alteration in the duties. He preferred to have the tea trade select rather than numerous, and therefore the duty should not be taken off. The hon. Member for Salford, too, whose services had often proved so valuable, but who seldom thought it any part of his duty to take a share in the debates, had risen not once but twice this evening, first to sustain the window-tax, and now to protest against any interference with the duty upon tea; and, indeed, hon. Gentlemen on all sides and of all shades of politics had got up to say, some in mild and some in strong language, that the Chancellor of the Exchequer ought not to take the duty off tea. He might well congratulate the right hon. Gentleman on the wonderful unanimity with which he had been supported; and he was glad to seize upon this ground of offering him his congratulations, for he feared that when he came to consider the arguments which had been used, he should not have many compliments to offer. The noble Lord (Lord G. Bentinck) had said that those only were consistent who opposed such reductions, and he said all the rest of the world had gone mad in favour of free trade; but he was inclined to think that all the rest of the world were likely to return the compliment. The noble Lord enumerated certain articles in which there had been free trade—viz., cotton, corn, brandy, and timber. Now, with regard to corn, he had yet to learn that the taking off the duty had caused any depression to the British farmer. The hon. Gentleman (Mr. Hudson) had no doubt prophesied that the result of that step would be, that they would have corn selling at 36*s.* in twelve months. [Mr. Hudson: I never said so; but that in times of abundance corn might be at 36*s.*] Certainly the hon. Gentleman had led the House to believe that most disastrous consequences would follow to the farmer; but such had not yet been experienced. Then, as to brandy—the duty was reduced from 22*s.* 10*d.* to 15*s.*, and the immediate result was so great an increase in the importation as to replace the revenue. [Lord G. Bentinck: No, no! that's a mistake.] If the noble Lord would be kind enough to inspect the returns, he would find the facts to be as he had stated. The returns showed that the quantity had risen from a million to a million and a half. Then the noble Lord referred to the case of cotton; and he was supported in his arguments by the hon. Member for Sunderland. In spite of the experience of last year with regard

to cotton, the noble Lord spoke of the change in the duty on that article as the mistaken application of free trade. Well, in taking the duty off cotton, they had had the advantage of the noble Lord's support. The hon. Member for Sunderland had got up and read to them a paper to show that the exports of cotton from Hull were larger during the last than the previous year. If he perceived the drift of his argument, it was to show that more cotton had gone to the Continent last summer than had gone in the corresponding period of the preceding year. Did he suppose that more manufactures would have been produced here, if in addition to the other difficulties with which we had had to contend in competing with the cotton manufacturers of the Continent, we had also laboured under the disadvantages of burdens in the shape of duties, which the foreigner had not to bear? He was extremely happy to hear from the hon. Gentleman that the exports of cotton had increased from our English ports; and he trusted they would continue to increase. He trusted that the German manufacturer might long continue to employ some of his friends in Liverpool as their brokers for furnishing them with supplies of cotton. He knew that that was the case at the present moment. If it would pay the German to buy his cotton at Liverpool and to take it to Germany, to be manufactured there, what would be the position of the Manchester manufacturer, who bought the cotton at Liverpool, and had merely to carry it thirty miles to his mill at Manchester? So much for the madness of free trade in corn, in brandy, and in cotton. Reverting to the subject of tea, all he ventured to state to the Chancellor of the Exchequer was, that a falling-off in the revenue there must be. The trade which was carried on at an average loss of 35 or 40 per cent would not last. If it could not be increased and made profitable, it would diminish till it became remunerative. The Chancellor of the Exchequer seemed to think he had given him a triumphant answer, when he said there was over-trading to China. The China trade had been open fifteen years; and when it reached 2,000,000*l.* of exports for 300,000,000 of people, the Minister ventured to censure it as over-trading! Well, but if it was over-trading, the trade would be less in future, and in that case the revenue from tea must be expected to diminish at all events. And the question which he had submitted to the Chancellor of the Exchequer was simply, whether, taking the subject in connexion with all the matters which would fall to be considered, the right hon. Gentleman thought such a reduction could be made in the duty on tea as would encourage the consumption and sustain the revenue?

Motion agreed to.

House adjourned at One o'clock.

HOUSE OF LORDS,
Friday, February 11, 1848.

Minutes.] *Took the Oaths.*—The Earl of Shrewsbury.

Public Bills.—2ª Audit of Railway Accounts.

Petitions Presented. By Lord Portman, from Hartcliffe, Bedminster, Portbury, and Clyst Honiton, against Denunciations from the Altar.—By the Earl of Ellenborough, from various Parishes in the United Kingdom, against the Admission of Jews into Parliament.—From Ayr, for Alteration in Prison Assessments (Scotland).—From several Parishes in Ireland for a Tenant Right.—From Roman Catholic Archbishops and Bishops of Ireland, for the Removal of Disabilities; for Alteration of the Charitable Donations and Bequests (Ireland) Act; and for the Repeal or Modification of the existing Statutes relating to Marriages between Roman Catholics and Protestants.—From Bath, Stafford, and the Smithwick Temperance Society, for the Enactment of Sanitary Measures.—From Members of the Independent Order of Odd Fellows, Manchester Unity, of Stafford, that the Provisions of the Benefit Societies Act may be extended to them.—By Lord Hatherton, from Edinburgh, for Repeal of the Game Laws.—From Legislative Council and House of General Assembly of the Island of Tobago, complaining of the Sugar Duties Act.—From Inhabitants of the Parish of Mayfield, against further Concessions to the Roman Catholics.—By the Earl of Aberdeen, from Kincardine, for a Trigonometrical Survey of Scotland.—From Saint Martin-in-the-Fields, for a Superannuation Allowance to Poor Law Officers.

AUDIT OF RAILWAY ACCOUNTS BILL.

Lord MONTEAGLE moved the Second Reading of the Audit of Railway Accounts Bill. In doing so he disclaimed entirely being actuated by any kind of hostility to those undertakings. No one who saw the vastness of these works, and the degree of science and skill required for their construction, and how materially they had benefited the country, could be otherwise than favourably disposed towards them. It was said that the Government had no right to interfere in the management of railways, because they were mere private property; but he wholly denied the proposition. They were created by a suspension of the ordinary laws of property. No kind of property was more regarded in England than land; and yet in favour of railway companies the owners of land were compelled to sell it. Undertakings favoured in this manner had no right to plead exemption from legislative interference; and

the Legislature had the fullest right to watch and regulate the movements of railway directors. It was said, too, that they should let well alone; if things were well, he might be content to do so, but he came to a different conclusion. The Legislature, too, had already interfered with them in many instances. The magnitude of the interests involved called for investigation and scrutiny; it behoved the Legislature to see that the vast powers railway companies possessed of raising and dealing with capital were properly applied. The amount of money placed in the hands of railway companies was increasing year by year in a fearful ratio. Previous to 1826, the capital invested in railways did not exceed 1,500,000*l.*; from 1826 to 1835, the amount authorised by Parliament was 19,000,000*l.*; in 1836–1837, 36,000,000*l.*; 1844–1845, 74,000,000*l.*; 1846, 132,000,000*l.*; 1847, 38,000,000*l.*—Total, 324,000,000*l.* Did not the magnitude of that sum render the interposition of the Legislature a duty? And if they found this enormous sum gradually increasing at a fearful ratio, the necessity of that interposition became still greater. The sum required under Railway Acts during the last year, which exhibited a great falling-off, compared with the years preceding it, was 38,000,000*l.* The whole annual expenditure of the nation for its Army, Navy, and Government, was 17,000,000*l.* But it was not merely the amount of capital involved in these enterprises that made interference necessary; the mode in which it was dealt with also required attention. The property of a railway company consisted partly in its own capital, partly in what it borrowed; and it was most important that those who lent this money should have the power of knowing on what security they parted with it. If they analysed many of the events of the last two years, he believed this power of borrowing, joined with inducements to do so at high rates of interest, would be found to have been great elements in the recent disorganisation of commercial and financial affairs. The Bank of England itself, he understood, had become a purchaser of railroad securities to the amount of 2,500,000*l.* The present mode of auditing the accounts of railroad companies was insufficient; no sensible person could rely on it, and he therefore thought that the peculiar condition of these speculations required that there should be an independent auditor appointed, who should examine into and report upon the accounts when called upon by a certain number of shareholders, and in his examination separate the two sources of income—traffic and capital. What he proposed by the Bill was this—when a certain number of shareholders applied for an independent audit of the accounts of a company, the Government Railway Board should be empowered to appoint an auditor for this purpose. He did not propose that the person so appointed should have any power of imposing any penalty or punishment; all he asked was that he should have good access to all documents, and full power of making the investigation—that he might state his opinion frankly, and transmit it to the Railway Department that it might be a public document open to reference by that and the other House of Parliament. Railway companies had two separate modes of obtaining money to make a dividend; one, out of actual profits, the other out of their capital. This occurred when a line was only partly completed, or when being complete from terminus to terminus, it got a Bill to extend itself by branches. The whole position of a company might be altered by increasing its capital and issuing new shares; and those who lent it money had a security very different from the real one: this was made possible by a mystification of the accounts, and the mixing up two sources of property which ought always to be kept separate. Suppose the capital of a railroad was 100,000*l.*, and it paid a dividend of 5 per cent, or 5,000*l.*; supposing its profits fell off, so that it could only give 3,000*l.* as a dividend, yet with power to call its capital to its aid, or of paying out of the main capital some of the expenses of the working of the line, the greater dividend of 5,000*l.* could still be sustained. When they considered the enormous temptations those who administered these funds were exposed to, the House would see that some remedy ought to be provided. Upon these grounds he rested the measure he had brought before the House. He knew it might be objected that it did not go far enough, and if he had followed his own view, he should have made it more stringent; but he had thought it better to try the Bill in its present shape, reserving to himself the power, if necessary, of bringing the subject again under the consideration of Parliament. The Bill would give to a certain number of shareholders (he had not fixed the precise number) a power, not of vexatiously prying into the concerns of the company, but of pro-

tecting their interests by applying for the appointment of an auditor to be selected by the Railway Board; and in order to prevent any undue surprise it was required that the proprietors so applying should have been proprietors for a year at least. It had been suggested that when a Bill for any railroad, or Amalgamation Bill, or Branch Bill, came before their Lordships, they should require that before the second reading of the Bill there should be an audit of the accounts by an independent auditor. He was very far from saying it might not be necessary to resort to that course; but such a measure, however good in itself, would not meet the object of his Bill, because many of the railroad companies which might be proper objects of his Bill might not come before their Lordships at all. With respect to the provisions of the Bill (which had very few clauses), he proposed that a balance-sheet of the company should be submitted to the Railway Commissioners, who would be empowered to appoint an auditor to report upon it, the report to be in duplicate, one part to be presented to the Railway Commissioners. As to the expense of the audit, he thought the party who called for the audit should pay the expense of it, if, in the judgment of the Railway Commissioners, the call should appear to have been unnecessary. The effect of this measure, and of the separation of the capital from the revenue accounts, would be to prevent the misapplication of the capital, and to secure the public against being deceived by a fallacious appearance of continued prosperity. The noble Lord concluded by moving that the Bill be read a second time, observing that he should postpone the Committee until it should suit the convenience of all parties.

The Earl of GRANVILLE said, a measure was wanted that should prevent the large privileges given to railway companies from being abused, and money being expended in a manner in which it ought not to be. He did not think the Bill went so far as that; but as far as it did go it was beneficial, and should have his support. Shareholders had a just right to know how their property was disposed of; and although the Legislature had made provision for that object, there was an impression in the public mind that the intentions of the Legislature had not been fulfilled. The auditors of railway companies were chosen from persons most active in the management of the concern, and the public impression was that there was something not quite sound in railway accounts.

Lord KINNAIRD did not oppose the Bill, but he did not approve of unnecessary interference with railway interests. It was true that great powers were given to railway companies, and it was very desirable that they should be placed upon a better system; but constant attempts to interfere with the management of these great interests was a serious evil. The Bill, he thought, would be to a certain extent ineffective; for it would take such a time before any person could go carefully through the accounts (which must be examined most minutely) that some months at least must elapse before a report could be made.

Lord ASHBURTON agreed with the noble Lord who had just spoken, that any vexatious interference with these great interests, in respect to their profits, would be the grossest injustice; but he did not consider that to be the aim and intention of the Bill, which merely obliged railway companies to do that which every public body was ready to do and in the habit of doing. This audit would not give the power of revealing any honest secret connected with the interests of the company; but if a company was going on a false principle of profit, paying a dividend of 10 per cent when the real profit was only 6 per cent, that was a fact very proper to be disclosed. The persons most interested in the audit were the shareholders themselves, who comprehended widows, and orphans, and others, whose whole property was invested in these great undertakings, and who ought to have an opportunity of knowing what was the real state of the company, and that they were not risking their money in a concern which rested upon an unsound foundation. He confessed he should himself prefer a regular periodical audit of railway accounts; for, looking at the complication of these accounts, capital being blended with the revenue derived from traffic, it was a difficult thing for shareholders to unravel and understand them.

Lord MONTEAGLE explained some of the details, and Bill read 2ª.

House adjourned.

HOUSE OF COMMONS,

Friday, February 11, 1848.

Minutes.] Public Bills.—1° Poor Removal; Administration of Justice (No. 1).

2° Administration of Justice (No. 2); Courts of Special and Petty Sessions; Protection of Justices from Vexatious Actions; Jewish Disabilities.

Petitions Presented. By a great many hon. Members, from an immense number of places, for and against the Jewish Disabilities Bill.—By Mr. Christopher, from In-

habitants of Humberstone (Lincoln), for Better Observance of the Lord's Day.—By Mr. Lushington, from Ministers of various Denominations in North India, respecting the Validity of Marriages (India).—By several hon. Members, from various places, complaining of the Conduct of the Roman Catholic Clergy (Ireland); and for and against the Roman Catholic Relief Bill.—By Mr. Frewen, from Clyst Honiton (Devon), against the Establishment of Romish Bishoprics.—By Mr. Pattison, and the Earl of Shelburne, from several places, for Inquiry respecting the Rajah of Sattara.—By Sir T. Acland, from South Molton, Mr. W. Miles, from Attorneys of Wincanton, and Mr. Ward, from Attorneys and Solicitors of Sheffield, for Repeal of Duty on Attorneys' Certificates.—By Viscount Mahon, from Hertford, for Repeal of Duty on Carriages and Horses.—By Mr. Walter, from Nottingham, for Reduction of the Duty on Tea.—From Independent Order of Odd Fellows, Manchester Unity, of Cheltenham, for Extension of the Benefit Societies Act.—By Colonels Conolly and Verner, from several places in Ireland, for Encouragement to Schools in connexion with the Church Education Society (Ireland).—By Mr. Gibson Craig, from Kirkcaldy, for Repeal of the Game Laws.—From the Hon. Sir Richard Broun, Bart., for Production of the Correspondence relating to the Halifax and Quebec Railway.—By Lord Ashley, from several places, for Sanitary Regulations.—From Cork, for Alteration of Law respecting Landlord and Tenant (Ireland).—By Mr. G. Craig, from Royal College of Surgeons of Edinburgh, for Reform in the Medical Profession.—By Mr. W. Miles, from Guardians of the Wincanton Union, for Alteration of the Law relating to Mendicancy.—By Sir J. Y. Buller, from Torquay, and Mr. E. Ellice, from Coventry, for Retrenchment of the Naval and Military Expenditure.—By the Earl of Mulgrave, from Scarborough, against the Repeal of the Navigation Laws.—By Mr. Walter, from Nottingham, for Alteration of Law respecting Parochial Assessments.—By Mr. E. Ellice, from Poor Law Officers, of various places, for a Superannuation Fund; from Coventry, for the Abolition of the Punishment of Death.—By Mr. Walter, from Sutton-in-Ashfield, for Alteration of the Law of Settlement, and Parochial Assessment.—By Mr. G. Craig, from Kirkcaldy, for Inquiry respecting Turnpike Roads (Scotland).

ELECTION COMMITTEES.

[In consequence of the absence of Mr. Cumming Bruce and Sir Robert Price from the House when their names were called to serve on Election Committees, those hon. Members were ordered to be taken into custody by the Serjeant-at-Arms; but having in the course of the evening explained their absence, they were ordered to be discharged.]

VAGRANCY.

Mr. W. MILES wished to ask the President of the Poor Law Commission a question relating to vagrancy. Had the right hon. Gentleman turned his attention to the point; and if so, did he intend to propose any legislative enactment on the subject?

Mr. C. BULLER assured his hon. Friend that not only had the subject engaged his own attention, but it was one to which the attention of all the Commissioners had been frequently and most painfully directed. He was endeavouring to obtain the fullest possible information connected with it, as he had reason to know from the communications he already had received, that it was a great and growing evil. At the same time his hon. Friend would, he was sure, not press him to state more than that the subject was under the serious consideration of the authorities. This he would say to his hon. Friend, that if it should appear the subject was an evil of that magnitude that required legislative interference, he might be assured that he (Mr. C. Buller) would not fail to propose it.

NAVY PAYMASTERS AND PURSERS.

Captain PECHELL inquired of the Secretary of the Admiralty if it was intended to make provision in the Estimates for completing the retired list of paymasters and pursers to the numbers recommended in the report of the Committee of Flag Officers in 1842; and also, if the Board of Admiralty had taken into consideration the several memorials of the commanders and lieutenants with regard to a retired list, and of the masters with respect to the rank they hold in the service?

Mr. WARD said, that no provision had been made in the Navy Estimates for completing the retired list of paymasters and pursers; and that, whenever the discussion should come on, he should be prepared to show that those parties had already received a full equivalent for what they had given up. With regard to the memorials of the commanders and lieutenants, he could only say, that the Board of Admiralty did not feel themselves justified in making any further retired list of masters and commanders, and lieutenants.

DISABILITIES OF THE JEWS—ADJOURNED DEBATE.

Mr. C. PEARSON could not pretend that he was altogether uninitiated in the practices of a deliberative assembly; but as it was some years since he appeared as a debater, and as he was labouring under the fashionable complaint, he hoped for a larger share than usual of the indulgence which the House invariably awarded to new Members. He lamented, in common with other hon. Members, that religious topics had been introduced into the debate—topics but little adapted to the heated atmosphere of a political assembly. He had hoped, that from the mild and moderate manner in which the noble Lord at the head of Her Majesty's Government had brought forward the question, it would have been discussed solely upon the broad principle of civil liberty. But many of those who had addressed the House, had,

from conscientious motives, given the discussion a religious direction. Those, therefore, who represented large constituencies might deem themselves bound to take that view also of the subject, in order to prevent their conduct from being misunderstood by those to whom they had to give an account. But if this subject were to be discussed as a religious subject, it behoved them to be exceedingly careful that, while they used great frankness and candour, as well as great courtesy, they should especially strive to avoid encroaching upon the feelings of those whose sentiments upon the subject were opposed to their own. He, for one, felt bound to state, that he did not participate in the sentiments expressed by the hon. Member for Buckinghamshire (Mr. Disraeli), who, although he intended on this occasion to vote on the same side of the question as he (Mr. C. Pearson) did, had arrived at the same conclusion with himself, not only by a different but by a directly opposite route. That hon. Gentleman had expressed himself in favour of a religious conformity taking the shape of religious truth. He could support the Bill upon no such grounds. It appeared to him that if the House adopted that view of the case, they most be prepared to return to the Test Acts, the Corporation Acts, the Act of Conformity, and the Act of Uniformity. The State had no right to coerce the consciences of men, and cast them in the mould of conformity as a condition for their obtaining public employment. He should support the Bill upon the principle of religious liberty. He was aware it had been said, and he adhered to the proposition even to its fullest extent, that the ultimate result of this measure would be the admission of Mahometans into the House of Commons. Now, he did not hesitate to say, that if the son of Ramohun Roy, inheriting his father's virtues, and imitating his conduct, should receive the confidence of a large constituency, and be returned to that House, he believed the House would be prepared to recognise the broad principle of civil and religious liberty, and admit that son of Ramohun Roy. It had been said by the hon. Member for Oxford, that privation was not persecution, and that exclusion from office was not to be considered that description of disparagement of which the Jews had any right to complain, so long as we did not spit upon their gabardines, and call them "Jews." Now, of all the treatment to which the Jews, in the long history of the persecution which had been directed against them, had been subjected, there was no disparagement that more severely wounded their feelings than that of being called Jews, and the spitting upon their gabardines. But if to spit upon their gabardines, and to call them Jews, was considered persecution, what were they to say of the imputations, and those of the severest character, which, within the walls of the House of Commons, had recently been cast upon that body? The speech to which he more immediately referred, and upon which he should make a few remarks, had since assumed a place among the literature of the country. He regretted deeply that the hon. Member—he meant the hon. Member for Midhurst (Mr. Walpole)—should have permitted himself to have given it this prominent position, containing, as it did, expressions in regard to the Jews that conveyed imputations which he had no right to cast upon them. It had been said that the exclusion of the Jews was conformable to other exclusions sanctioned by the law of the land; and the hon. Member for Midhurst instanced the cases of age, sex, and property, as being tests applied to all persons, whether Jews or Christians. But the only reply he (Mr. C. Pearson) thought it necessary to make to such an argument was, that it was not proposed to admit either Jewish minors, Jewish women, or Jewish paupers into Parliament. All that the Jews claimed, or rather all that was claimed for them, was, the right of eligibility—a right to be elected in common with every other individual in the country. He stood there as an elector of the city of London, which had returned this Gentleman (Mr. Rothschild)—one of between 6,000 and 7,000 persons who composed the ancient livery companies of the city of London, consisting of the merchants, bankers, traders, and inhabitant householders of the first commercial city in the first commercial country in the world, and who in the exercise of their rights and the discharge of their duties had thought fit to elect as their representative one of the most eminent of their commercial men, whose name was known in every part of the world where the peaceful flag of commerce floated. Why should this Gentleman not be returned to that House? The first reason assigned was his inability to join in the prayers with which the proceedings of the House were opened. It had been stated that he could not join in prayer with other Members of the House without awful blasphemy towards

God, and hypocrisy towards his fellow-men. Now, these were very hard words to bestow upon a body of the Jewish community. He, for his part, had had the privilege of being acquainted with Jews for thirty-five years. There were persons within the sound of his voice at that moment belonging to that community with whom he had been acquainted for that period; he had also been acquainted with the late Solomon Herschel, Dr. Mendola, and several members of the Jewish clergy and laity of all classes; and he solemnly declared, that he never in his life heard fall from the lips of one of the Jewish people a single word or sentence, not only not resembling in the slightest degree the expression imputed to them—namely, that of calling our Saviour a crucified impostor—but not even a single expression which the most delicate and fastidious Christian could be offended at. He took leave to inform those hon. Gentlemen who imputed mockery and blasphemy to the Jews, in the event of their being present in that House, that he (Mr. Pearson) had been in the house of God with members of the Jewish community, and he could conscientiously say, he had never seen them guilty of the slightest offence to their Christian brethren. It was the duty of the high-sheriffs of London to attend upon certain days at the ministrations of religion in the Protestant form. They had all seen in the newspapers a short time ago, that a certain ceremony took place at a certain place where the interrupting words of "Mockery, mockery!" were frequently and distinctly heard. That ceremony took place in an edifice in which an alderman of the city of London was in attendance, and he attended with the Riot Act in his pocket, as in duty bound; and the violent conduct of certain clergymen, who echoed "Mockery, mockery!" from pew to pew at the solemn confirmation of a bishop—for that was the ceremony to which he alluded—had almost caused him to put the Riot Act in force. Now, those cries did not proceed from Jews. No! the conduct of the alderman, who was a Jew, was on that occasion, as it was on every other occasion, like that of his Jewish brethren — respectful and blameless. Those cries proceeded from the Christian, and even from the clerical portion of the assembly. He had known the Jews perform many services for Christians connected with the promotion of their religion. He recollected that, in the year 1821, at Rio de Janeiro, when the British Protestants could not obtain from the Government a piece of ground on which to erect a Protestant place of worship, Mr. D. Samuel, a Jewish gentleman in the high confidence of the king, procured an edict sanctioning the grant of a plot of ground for the erection of a Protestant place of worship in that country. Mr. Samuel contributed towards the purchase of the ground so obtained; and, in accordance with the unanimous wish of the Protestant residents, he laid the first stone of that Christian temple; and he (Mr. Pearson) had at that moment in his pocket a copy of the vote of thanks addressed to that gentleman for his liberality. That gentleman was at this moment residing in England, and probably, if this Bill passed, he might become a candidate for admission into that House; and he (Mr. Pearson) was quite sure that if he did succeed in obtaining a seat there, he would, like his Jewish brethren, conduct himself during prayers in such a manner as would entitle him to the esteem of the House. But with regard to the attendance at prayers, he (Mr. Pearson) understood that the presence of a Member at prayers was entirely voluntary. Indeed, the only object appeared to be to secure seats; for he believed that, except in the honeymoon of a new Parliament, if twenty Members were present at prayers it was as much as could be expected; and, therefore, a Jewish gentleman might perform all the duties of that House without incurring the censure which had been attempted to be cast upon a Jew attending at prayers. The objection to the admission of the Jews appeared to rest upon three grounds: first, that it was contrary to the constitutional rights of the country; secondly, that it was inconsistent with the faith of the people; and, thirdly, that it was inconsistent with sound religion and Christian principles. The hon. Baronet (Sir R. Inglis) who had spoken so well and so long upon this subject, had divided the history of the country into three distinct periods. He had challenged the future historian of England to point out any instance, from the time of Alfred the Great and Edward the Elder, to the time of Praise-God Barebones—from the time of Praise-God Barebones down to the Revolution—and from the Revolution to the present period—in which the taking of an oath upon a Christian symbol, or the book of Christian records, was not a condition required to be so fulfilled by all persons previous to taking any office of the State. Now, it was a very remarkable circum-

stance, that the precise period which the hon. Baronet had selected for their consideration was the first in which, as far as he (Mr. Pearson) could find, there had been an attempt to coerce conscience—the first instance that he was aware of, in the history of this or any other country, in which there had been an attempt to force an oath upon individuals inconsistent with the faith which they held. And, he apprehended, that would act as a beacon to modern statesmen. Let them see what were the circumstances attending, and the consequences that followed from, this first attempt to coerce consciences in the reign of Alfred. In the year 750, which was about the time that the Council of Constantine took place, which restored the worship of images, Alfred, the founder of the University of Oxford, was one of the first to attempt to enforce uniformity in religious belief on the part of his subjects. The Council of Constantine decreed that divine honour should be paid to the bones of saints and their relics. History did not say whether the enemies with whom Alfred had to contend were Iconoclasts of the Christian Church, or Pagans; but Alfred, fresh from the politico-ecclesiastical council or parliament which he held in England, immediately after the Council of Constantine, drew up an oath, which he obliged the Danes to swear upon relics, to the observance of their treaties, not that he expected they would pay any veneration to the relics, but he hoped that their impiety in taking the oath would draw down upon them the vengeance of Heaven. He prayed the attention of the House to that fact. What were the consequences of this first attempt to coerce the conscience of the people? The Danes, like Sampson bound with green withes, burst the proposed bonds asunder; they turned upon their oppressors; they deluged the country with blood; and from that period they never left the country, but established themselves in it. He would now draw the attention of the House to the next period to which the hon. Baronet had referred—the period of Praise-God Barebones. He thought that that would be regarded by the House as a most unfortunate selection. In the Praise-God Barebones Parliament they did not trouble themselves with prayers at the commencement of the day's business, by a chaplain, in the same form as prevailed at present; but eight gifted brethren engaged in religious service on the principles of the true faith of a Christian, and having done so, they proceeded with Parliamentary business. That Parliament took into consideration the abolition of clerical functions, as savouring of Popery; they took away tithes, which they called a relic of Judaism; learning, and the universities, were considered as heathenish and unnecessary; and they debated the propriety of adopting the Mosaic code of laws instead of our own. If, then, from two such instances as these in the history of Parliament, they found that all the while everything was done upon the true faith of a Christian—the test which the hon. Baronet sought to continue—appeared to be fraught with much danger. The hon. Member for Midhurst (Mr. Walpole) in that admirable speech which he delivered on the last evening of the debate, introduced to their notice the various writs that had been issued for convening Parliament. He had referred to the quotations from Prymes and Glanville; and he had not the slightest hesitation to admit that, during the whole of the period referred to, and which came down to the Commonwealth, the writs were substantially such as the hon. and learned Member had quoted. Those writs were undoubtedly to the effect that the sheriff was to elect a Member for the defence of the King, the State, and the Anglican Church. The change effected in those writs happened in the time of the Protectorate. It was in the time of the Anglican Church that every species of atrocity, and cruel persecution, and bigotry took place. It was a Parliament called by a writ of the description referred to by the hon. and learned Member (Mr. Walpole) that had passed the various statutes of heresy, and which authorised the delivering up of persons suspected of heresy, to be dealt with by the ecclesiastical courts, on whose warrant writs were obtained from the sheriff for the burning of the heretic. It was a Parliament brought together under writ for the defence of the Anglican Church, that passed a statute which rendered it felony for any person to receive into one's house, or give entertainment to an evil spirit, or to treat them with flesh, fish, &c. It was under an Act passed by a Parliament called together under a writ to the sheriff, directing him to call together such Parliament for the defence of the Anglican Church, that the using of the Common Prayer Book was rendered felonious; and, under a similiar writ, a penalty of 50*l.* or twelve months' imprisonment was imposed on anybody who used that book in public. They had evidence, therefore,

from facts which occurred at all periods in the history of the country, that, notwithstanding the appeal made to "the true faith of a Christian," the most contradictory statutes were enacted. He was now about to proceed to the third period to which the hon. Baronet had referred, namely, the period of the Revolution; but before he touched upon that it was right for them to see what was the state of the Jews at that period. History showed that the Jews were in this country, though not in any very great numbers, during the period of our Saxon ancestors. A large introduction of them took place after the Conquest. At that period the Jews were admitted to office; the Jews were made collectors of the revenue; in fact, when the first-fruits of the Church were in the hands of kings, they could not trust one another, and they employed the Jews to collect their revenues. The Jews had then to make oath upon the Pentateuch. The Jews sat as jurors, and were examined as witnesses upon the Pentateuch. During the Norman Conquest, and until their banishment, all the oaths of Jews, both assertory and promissory, were, by the common law, administered on the Pentateuch. He knew that in the time of Lord Coke this was denied; but in the celebrated case of Mordecai *v.* Parker, the Lord Chief Justice Willis clearly laid it down that an oath was administered with the words, "So help me God!" which was acknowledged to be binding on the conscience of every one who believed in the existence of a God; and that the heathen who held that belief could be sworn upon the form of "So help me God!" as well as a Christian, and that his testimony might be received in court after such an oath had been administered. The quotation made by the hon. and learned Member for Midhurst, from Lord Coke need not now be repeated. Great as was the authority of Lord Coke in many cases, he was not to be taken as an authority where politics and religion were mixed up together. At the best of times he was not very fond of the law as laid down by a theological lawyer; he liked him as little as he did a polemical priest. The fact was, that the subjects did not agree very well with each other; and Lord Coke, in such cases, was not much to be depended upon. In looking, however, to Lord Coke, to see what was the qualification of a Member of Parliament in early times, he found, that according to a translation from a Close Roll of Henry VI., Parliament was to be *commune concilium*, every Member of the House being a councillor for the good of the State. A Member of Parliament—said the Roll of Henry VI.—ought to have the three properties of an elephant: first, he should have no gall; secondly, he should be inflexible, and not bow the knee; thirdly, he should have a perfect memory. Nothing was said as to his amount of property, or his creed; all that was required of a candidate for Parliamentary honours was, that he should resemble the elephant in the particulars to which he had referred. He did not like to bring down to the House the musty tome in which the original copy of the Close Roll was to be found; but, like old wine, he was aware that old precedents were better when they had the cobweb upon them; but at the same time he thought that as they had previously listened to precedents adduced from centuries long past, the House would be satisfied at his having brought down Lord Coke's translation. The first time in which the oath appeared in an objectionable shape, was in the third year of the reign of James I.; and it was rather remarkable that the year in which the words "upon the faith of a Christian" were introduced into the oath, was the very year in which the statute against witchcraft was passed, by which many hundreds of persons were executed in this country. The hon. Gentleman had triumphantly asked the House to point out any period in the history of the country in which a person could have been admitted into the Legislature without taking an oath which involved an adherence to the Christian religion. In the first place, he (Mr. Pearson) stated that until the time of James I., the Jews, if they had been in this country, would have been admitted upon taking the oaths of supremacy and allegiance upon the Pentateuch, for there was no law which required a Jew to take an oath upon the New Testament; and unless the New Testament was expressly stated in an Act of Parliament, a Jew was, by common law, entitled to take his oath in the form which was binding upon his conscience. The 1st of William and Mary abrogated the old oath of abjuration, and introduced a new one; it introduced an oath of abjuration, without the words "upon the true faith of a Christian;" and it was not until the 13th of William and Mary—1703, he believed—when, in consequence of the King of France causing the Pretender to be crowned King of England, the words

"upon the true faith of a Christian" were introdnced into the oath of abjuration as they now appeared. Since the Revolution there was no question that every Act that had passed affecting the religion of the country, tended towards a relaxation of those severe laws which had been framed at an anterior period. The first Act was one which relieved the Quakers; the next Act relieved the Roman Catholics; and the next relieved the Unitarians; and then they had the great Act, the repeal of the Test and Corporation Acts in 1828. Then followed Catholic Emancipation, upon O'Connell being elected for Clare, and his refusal when presented to the House to take the oath tendered to him. At that time, Mr. Pease, a Quaker, was elected for South Durham, and presented himself to the House; but he objected to take any oath, and a Committee was appointed, which reported that an affirmation should be accepted from Mr. Pease. But Lord Morpeth immediately afterwards brought in a Bill for the purpose of legalising the alteration in the abjuration oath, so as to admit the Quaker's affirmation. The City of London upon this occasion had taken the same course. Mr. Rothschild might have presented himself at the table to be sworn; but he and those who had advised him had preferred to take a course which did not place him in collision with the House. If Mr. Rothschild had presented himself at the table, the House would have been placed in a very awkward situation, for if they did not act upon what might be considered a forced construction of an Act of Parliament, they must have rejected him, leaving him to be sent back to his constituents—a course which might have produced results of which it was impossible to see the disastrous character. It was a remarkable fact that it had been decided by a Committee of the House, according to Serjeant Heywood in his excellent work upon Election Law, that although the electors, as a condition precedent to their voting for a candidate, should be called upon to take the oaths of supremacy, allegiance, and abjuration, with the words "upon the true faith of a Christian" contained in them; yet in the case of an elector of the Jewish persuasion presenting himself to be sworn, he was entitled to take the oaths without the words "upon the true faith of a Christian." He (Mr. Pearson) believed that that was a forced construction of the law. The principle upon which it depended was this, that the words "upon the true faith of a Christian" at the end of the oath, were part of the jurat, and that they were not a substantial and essential part of the oath itself. Upon that principle a Quaker was permitted to take the oath of abjuration, though altered in the body of it, yet it must be admitted that if an affirmation was taken, it was necessary to alter the whole structure of the oath itself. It appeared to him that in the case of Mr. Pease the construction was a forced one; and to remove all doubt, an Act of Parliament was immediately adopted. He had no hesitation in saying that if this oath of abjuration were favourably construed, it might be decided that Mr. Rothschild might swear upon the Pentateuch, omitting the words "upon the true faith of a Christian." But Mr. Rothschild, and those who had elected him, preferred the straightforward and manly course of relieving themselves and the House from the difficulties arising from any forced construction of a statute; and they asked the House to pass this Bill for the purpose of duly facilitating the admission of Mr. Rothschild. It had been said that the public were adverse to relieving the Jews from their civil disabilities in this country, and that a great outcry would be created if the House attempted to interfere with the Bill of 1753. But there was no analogy between those two Bills. The Bill of 1753 was a Bill for the naturalising of foreign Jews; it proposed to give foreigners privileges, because they were Jews, which foreigners who were Protestants did not possess. A Bill, shortly before that period, had been brought into that House for the purpose of naturalising foreign Protestants. Those who had come in the suite of the reigning Monarch being Lutherans in religion, could not take the sacrament according to the forms of the Church of England, and as such could not be naturalised. The House threw out that Bill; and how, therefore could the House, with any sense of justice and propriety, maintain a Bill for the purpose of giving to the Jews privileges which they had before refused to foreign Protestants? The House restored to the hands of Jewish gentlemen privileges which it might be supposed they ought not to possess: they had now the right of purchasing advowsons; they had the right of presentations to churches—which was taken away by the Act of 1753; but so strong was the

feeling at that time against the Jews arising from the strong prejudices that had been excited throughout the country, that they had removed many of the privileges which they had previously enjoyed. To suppose that this country was adverse to the passing of this Bill for the Jews, appeared to him to be inconsistent with the evidence of the facts before the House. The second reading of the Bill had been postponed till now, in order that the country might have time to express itself on the subject; and the result had shown that the public at large were in favour of the measure—otherwise, why was their table not covered with petitions against it, as in the case of the Maynooth grant? It was true that the petitions from the city of London had not been presented to the House by numerous masses as on former occasions. In 1833 a petition was presented by Lord Ashburton, which was signed by eleven of the bankers, thirty-seven eminent merchants, 2,600 merchants, and 15,000 of the inhabitants of the city. On the present occasion the people of London considered that the election of this Gentleman was practical evidence of their opinion. 7,000 of the citizens of London had voted for Mr. Rothschild as their Parliamentary representative; and he prayed in aid of those 7,000 votes all the elections of Jews to municipal offices, and the other high honours which had been recently bestowed upon them as evidences of the kindly feelings entertained towards them by the people generally of this country. He had presented a petition from Lambeth in favour of this Bill, signed by 9,879 persons, with the name and address of each petitioner. He trusted the House would excuse him for detaining them, for he felt so strongly upon the question, that he could hardly find words to give utterance to his feelings. It had been his fortune to move for the admission to the corporation of London of the first Jew who had been admitted a citizen; he had had the satisfaction of working with them from that time; and he trusted the House would not deny that people the act of justice which the present Bill awarded them. When he recollected the many advances which had been made towards the establishment of religious freedom, and considered the great changes which had taken place from the time when men were liable to persecution for holding opinions which all were now at perfect liberty to express, he felt confident that that House would not restrain the further progress of that freedom by throwing out the Bill. He had the greatest respect for the Church of England, and had ever admired her liberal spirit towards those differing from her in opinion. Though a Dissenter himself, he would rather live under the Church of England as a dominant body—if there was to be dominancy at all—than under his own or any other sect. That was a feeling which he believed was very predominant throughout that assembly; and he might say it was that feeling that preserved the equilibrium of the Church. He might add that there were no warmer friends of things as they were than the Jewish people. The hon. Baronet had spoken of the Bill as a measure to admit persons who must be guilty of "awful mockery," and "gross blasphemy," and who called our Saviour a "crucified impostor." Now, if the aldermen, bankers, merchants, and householders of London had really attempted to inflict that disgrace on this House, then on their heads ought to fall a great censure. But it was because the Jews were not in the habit of calling our Saviour a crucified impostor, and were not likely to be guilty of blasphemy, that they had returned Baron Rothschild as their representative, conceiving him to have many qualifications which fitted him for that office. They had elected Baron Rothschild because they considered him peculiarly qualified to represent the interests and feelings of a mercantile body. A Committee had recently been appointed to make inquiry into the causes of the monetary crisis. Did any one doubt that if Baron Rothschild had been in the House, he would not have been a Member of that Committee? The city of London was at present deprived of a portion of its representative power; but when they returned Baron Rothschild, they had a right to expect that he would be admitted. The election of Mr. O'Connell for Clare was followed by the Catholic Emancipation Act, and Mr. O'Connell and other Catholics were admitted to Parliament; Mr. Pease, when elected, was also permitted to take his seat. When Mr. Salomons was elected sheriff of London and Middlesex, he objected to take the abjuration oath, and a Bill was brought in and carried which enabled that gentleman to hold that office. The hon. Member for the University of Oxford was too shrewd not to see under the general terms of the title that the Bill was a Bill to admit Mr. Salomons. But

that House relieved Mr. Salomons from the condition precedent to his entering on the duties of his office. Mr. Salomons was admitted, and that was lesson first to the citizens of London. Mr. Salomons was afterwards appointed an alderman; but, having to be admitted within eight days, he had to be passed over, as there was not time to carry a measure; but a Bill was introduced in the other House by the Lord Chancellor to remove the obstacle. That was lesson second. They proceeded to a third election, that of Mr. Rothschild. The writings of the Rev. Mr. Simeon contained a remarkable statement with regard to the position of the Jews in Holland. Mr. Simeon, in course of a tour there, had met Dr. Capadoche, who observed that the Jews were admitted in Holland to all offices and honours; and that therefore Mr. Simeon's aid was not required, that rev. gentleman's visit being made with a view to the conversion of the Jews. But Mr. Simeon, on the contrary, thought that the very reason why he should begin his labours there: first, because the prejudices of the Jews would be less; and, secondly, because he might hold forth Holland as a pattern to other countries. The fable in which Æsop related the contest between the wind and the sun as to which of them should make the traveller part with his cloak, afforded an apposite illustration of the means most likely to induce men to throw off their prejudices; or, in language which the Jews would prefer in this case, their adherence to the faith of their forefathers. As the story of the passenger and his cloak was told in the old nursery rhyme—

> "The wind quite a hurricane blew,
> But could not provoke
> Him to part with his cloak,
> Which around him the closer he drew."

"The mild melting ray," however, of "the sun at noonday," made him feel his cloak oppressive, and "inclined him to throw it aside." The moral of that was—

> "'Tis thus that we find
> The great mass of mankind
> By mildness are easily won.
> Persecution compare
> To the boisterous air;
> Religion's the light of the sun."

Viscount DRUMLANRIG opposed this Bill, because by it we were called upon, for the first time, to unchristianise this assembly—to declare that the name of Christ, which had been up to this time their guide and test, should be no longer tolerated as the sole test and sole way of admittance into that House—to dishonour religion before the nation—and to shrink from, if not to repudiate, that sacred name. They who had shrunk from such a national repudiation were appealed to. Their acquiescence was desired in the name of political justice. When they in responding referred to the declaration, "on the true faith of a Christian," they were met by the singular argument used by hon. Gentlemen upon the other side of the House—and even the noble Lord at the head of the Government had condescended to use it—that such men as Gibbon and Bolingbroke had, notwithstanding the present test, sat in that House. Was there no difference in the character, the honour, the responsibility of a State, into which (make it as perfect as you can) abuses, unbelief even, will creep in, merely because it is human nature; and the character, the responsibility of a State, which makes direct provision for abuse and unbelief? He was of opinion that the manner in which the questions had been handled by the writers in the public press in this country was, with few exceptions, highly objectionable, for in their arguments they appeared to go entirely on the assumption that Christianity was nothing more than civilisation. He had to complain in particular of the *Morning Chronicle*, for that paper raised a sneer against what it was pleased to call "the evangelical indignation of the country," and ridiculed the honest alarm which was excited throughout a Christian community by a measure which, in its character and tendency, was decidedly anti-Christian. The liberality of France, too, had been spoken of. He regretted that such an example should be set up for the imitation of Englishmen; for, without any hostile or unfriendly feeling to the people of that country, whose good qualities he would be the last to deny, he would frankly declare that he did not think a country remarkable for its cold philosophy and its atheism—a country in which the God of the Universe had been abjured, and the Altar of Reason set up—was a fit model for the Christian poople of England. In France infidelity was not concealed—it was avowed from the tribune, and enunciated in their newspapers daily. An English newspaper had, he regretted to say, gone so far as to ask, "How long such nonsense was to stand in the way of the proper management of the business of this country?" meaning,

of course, how long veneration for the name of Christ was to stand in the way of money? For these reasons he should oppose this measure, which, even if it had been supported by arguments based upon our duty as Christians, would scarcely have convinced him, although such a line of argument would have a great weight with him, as he thought it was more consonant with the spirit of Christianity to concede than to refuse. He would ask why this measure was brought forward? It was not because of its immediate necessity—it was not because of its expediency—it was not because the nation demanded it—but simply because the electors of London had elected a rich man who could not take his seat without violating the law. It was announced that Parliament had been summoned together early for the discharge of business of importance; but the main reason, after all, turned out to be that the noble Lord the Member for the city of London wished to have his Colleague in the House. The heroism of the electors of London, in electing Baron Rothschild as one of their representatives, had been made the subject of enthusiastic encomium by some of the hon. Members who advocated the present measure. It was a pleasant thing to think that 6,000 or 7,000 of our fellow-creatures had acted heroically; but he really could not see that there was any great heroism in the matter after all, or that the electors had in any very remarkable manner testified their devotion to the cause of the Jews. A great deal had been said about their splendid contempt of appearances; but if they were really so enthusiastic on behalf of the Hebrew people, how did it happen that instead of electing four Jews as their representatives, they had only elected one, and that that one happened to be the richest they could anywhere find? The hon. Member for West Surrey, who was accustomed to speak hard and disagreeable truth, had told them on the currency debates, that the worship of gold was the vice of the age. He feared that this Bill was but another illustration of that saying, and that the whole country would be of that opinion. The noble Lord concluded by saying he would strenuously oppose the Bill.

The Hon. W. COWPER thought the noble Lord had done the supporters of the Bill an injustice in ascribing their conduct to the influence of money. It was supported by them upon broad principles of civil and religious freedom. The present Bill was a natural and necessary sequel to the various measures which for several years back had from time to time been introduced with a view to the removal of religious disabilities. From the principles to which that House had already given its adherence, this last measure for the admission of Jews into Parliament followed as a necessary sequence. They were now merely putting the last stone on that temple of religious freedom which they had been rearing for the last twenty years. He could not understand on what plea, either of justice or of policy, it could be sought to exclude Jews from that House. The law did not look upon them as aliens. Allegiance was exacted from them, and they were called upon to contribute a fair proportion to the expenses of the Government. They were subject to the same duties and liabilities as all other classes of citizens, and should, therefore, be permitted to enjoy the same rights and privileges. It was contended by those who opposed the Bill that the Jews had a peculiar nationality, and that upon that account the Jews were not to be treated as citizens of the United Kingdom. If this was really the view which some who opposed this Bill took of the Jewish people—that they, as the children of Abraham, were set apart by the Almighty from the beginning, to be separate and distinct from all the nations of the earth—and that they would continue distinct (as he believed they would to the end of the world); if that was contended for and conceded, it was still obvious that there was a wide distinction between nationality and race—the Jews were not a distinct nation—there was no national organisation—they had no nation—no home except the country in which they happened to be born, in which they lived and expected to die—so that if they were deprived of the right of nationality they were left in the strange condition of having no country at all. They were a distinct race, and he believed that they would remain distinct. But was not this country, to go no further, composed of a number of distinct races—Normans, Saxons, and Danes? but they did not continue separate races, but were commingled into one common nation. In Ireland there was a wide difference of race between the Celtic population in the west, and the Teutonic people of the north, and yet they all loved their common country. If a Jew embraced the Christian faith tomorrow, he would be at once admitted to the full enjoyment of all civil and political

rights; but he would still remain a Jew in national feeling as much as ever. A Jew who believed the New Testament had as firm a hope of being restored to the promised land, and of returning to his beloved Jerusalem, as the Jew who remained blind to the Gospel, and rejected the prophecies in which the New Testament pointed out the glories and felicities of their nation when their own land shall be restored to them. In the present House there were no fewer than six hon. Gentlemen who boasted of their descent from this ancient race, and that Jewish blood flowed in their veins; and among them was the hon. Member who, in the course of the former debate, had spoken of the glories of the Hebrew race, and had entered into some mystical explanations of those great deeds and achievements of the Jews which had already called forth many remarks, and which had completely puzzled the Gentile mind. The hon. Member for Buckinghamshire, to whom he alluded, had as ardent a national feeling as any Jew who was not a Christian—as any one who was a Jew in creed as well as in feeling; and yet his ardent devotion to the immemorial people from whom he was descended, did not prevent that hon. Member from occupying a conspicuous place in the councils of party as well as in the debates of this House. The genius, too, with which the hon. Member illustrated his views in his written publications, while they had not induced any one to doubt his nationality, had tended greatly to enrich our national literature. If, then, it was admitted, as he thought it must be, that Jews living in England, were entitled to claim the position of citizens so far as their outward or social condition was concerned; it was clear that it would be a great grievance to exclude them from the honours of the State, unless some public object was to be obtained by promoting the interests of morality or by extending the cause of truth. Now he must say that he had not seen such a case made out against them, and he thought the burden of proof lay rather upon those who resisted than upon those who advocated their claims. The main ground which was relied on by his hon. Friend who had moved this Amendment, and which he believed chiefly actuated those who were shocked and grieved by the present measure, was the apprehension that the passing of this Bill would destroy or diminish the Christian character of this House. If this view of the case were correct at all, he must confess that with him it would be decisive; for if Christianity were to be put in one scale, he did not know what could be put in the other. Consistency, expediency, political justice—all those motives and maxims which generally actuated them in their legislative conduct—would, he felt, be all too light in the balance: they would weigh as nothing in his mind, when compared with conformity to the precepts of Christ. But, he would ask, what was this Christian character which they were to lose by the passing of this measure? It would not, of course, be the substance of Christianity. Christianity was not a thing of word or name—it was not a mere title or designation, which a man could take up and lay down again at his pleasure—it was a real, substantial, vital thing, which was not given by Act of Parliament, and which by Act of Parliament could not be taken away. As far as the substance of Christianity was concerned, it was independent of the oath taken at that table—as it existed before the oath was imposed, so it would exist after the oath was abolished. Viewing Christianity, therefore, in its essence, it could not be affected by this measure. What the opponents of this measure contemplated was the title of Christian, and that if we admitted persons who did not declare that they were Christians, we were so far giving up our exclusive character of Christianity. Now, was this title worth the exclusion of the Jews? He knew there was a large and respectable party in the country, who considered that it was the duty of the voters of this country to make for themselves, in their character of representatives, a profession of the true religion. But he did not think that the House of Parliament was by any means summoned to represent the truth—they were rather sent there to represent the people. They were not sent there to define what was speculative or theological truth; and, indeed, if they were, they were as ill-constituted a body for the purpose as could possibly be found. They were not elected for such high functions, nor neither the mode in which they were elected, nor their modes and habits of debate, nor the subjects which came before them, were calculated to define what was speculative or theological truth. They were sent there to represent the feelings, the wants, and the wishes of the people, and endeavour to obtain for them, as far as they could, good government, and the general prosperity of the empire. He was confirmed in

this view of the question by inquiring into the powers which the House possessed. They had power, in the making of laws, over the property and the lives of the people; they could influence their persons and their property; but if they were to attempt to exercise power over their consciences—if they were to strive to compel the people to believe what they, the House, thought was true—if they were to attempt to occupy a sphere higher than that to which they naturally belonged—he was convinced that they would not only utterly fail in the attempt, but that they would do far more mischief than good. He thought experience, as well as reason, had shown that to attempt to expel error by compulsion, was much more prejudicial than leaving it alone. Truth was a still small voice, which was heard and listened to only by willing ears; but it was generally drowned in the midst of noise and clamour, which must prevail when force and violence were used to compel men to listen to it. But this was not necessary to his argument, because the external profession was not altogether removed by this measure. Some hon. Gentlemen had contended that it was important that they, as representing the State, should pay homage to Christianity, and that that homage was paid by professing themselves to be Christians. He had some little doubt as to the advantage Christianity derived from this homage. Hypocrisy had been defined to be the homage which vice paid to virtue; and, for his own part, he did not think that virtue was much better for such homage; and so he was inclined to believe that the homage paid to Christianity by persons calling themselves Christians, who were not Christians in heart—who were not sensible of the deep responsibility which Christianity imposed upon them—was no advantage to Christianity, and was not to be clung to by those who desired that Christianity should stand well with mankind at large. He thought there was more danger to Christianity from those who called themselves its friends when they were not, than from those who avowed that they were its open enemies. The hostility of an enemy was known, and could be properly judged; but a treacherous friend was less easily estimated. Besides there was, he thought, danger in fostering this delusion, because, when they had once got persons to say that they were Christians, there was a danger of encouraging them to imagine that they were so also in substance. But, whatever there might be in this, it was to be observed that the external profession of Christianity was still continued—it was not affected by the Bill. Christianity was still to be professed at the table of the House by those who were Christians; the only difference was, that they would draw from this external profession of Christianity all that it at present had of a penal character. It would no longer be a bar of exclusion; it would be what it was originally intended to be—a solemn declaration of the faith of those who took the oath. It was, indeed, strange that this oath should now be perverted so as to operate to the exclusion of the Jews. It was originally directed against a very different class of persons—it was directed against those who believed, not in Judaism, but in the Pretender; and he had heard no one say that the Jews were in any special measure fond of the elder branch of the Stuarts—certainly they were not so fond of them as were some hon. Friends of his who had been in the House, and who regretted that this country had ever parted with that branch; and who, if England had a Pretender at present, would have great difficulty in taking the oath as it was at present framed. But though this was the primary intention of the oath, the Jews were, by its operation, incidentally and accidentally kept out. There was one other argument which had been relied upon, though certainly not to so great an extent as some others, and that was the moral disqualification which the Jews were naturally under by not believing in that ultimate law of appeal which was adopted by all Christians. This view had considerable weight on his own mind when he sat down to consider the question. He thought the Jews laboured under considerable disqualifications in not being convinced of that truth which all Christians considered the ultimate source of appeal on doubtful points—he meant the revealed law in the New Testament. A Jew was thereby, to a considerable extent, disqualified from carrying out the ideas of a Christian country. But he did not think the House ought to enter upon the field of considering the eligibility of candidates with regard to their moral qualifications. They were all agreed that a liar or a swindler was not fit to sit in the House. But it would be unconstitutional to limit the choice of electors, or to take upon themselves the responsibility of deciding whether a man possessed those moral qualifications which fitted him to sit in the society of gentle-

men. His opinion was, that it was better to leave the question of moral qualifications to the electors themselves, on whom fell the duty of electing their representatives. It was their business, not ours; and if the electors chose to exercise their right by sending a man to the House who was not a Christian, his view was, that the House of Commons and Parliament had no right to interfere with the choice. On the electors lay the responsibility. It was put upon them by the constitution. He was not, therefore, able to satisfy his own mind that there was any sufficient ground for continuing these restrictions. He did not see that by this measure they would destroy the Christianity of the House; and with regard to names, he did not see why they should require an exclusive unity in that House, which did not exist in the nation at large. It appeared to him that Christian conduct would rather be shown by throwing open their doors to all the citizens of the State, than by entering into discussions as to how far they should exclude their fellow-citizens for their errors of belief. The English nation stood high in its character for the efforts it made to disseminate the truth. England also was the country where the principles of toleration were first propagated and first adopted; and therefore it was for England to show to the world that liberality and indifference did not necessarily go together—that, while they were earnest for the dissemination of religious truth, they were, at the same time, not disposed to impose disabilities on a man who did his duty, and who, by his general conduct, succeeded in gaining the approbation of his fellow-creatures. By thus exerting themselves for the spread of religious truth, while, at the same time, they established complete religious freedom, they would show that the first table of the law could well be reconciled with the second, and that while they served God they also loved their neighbour.

Mr. SEYMER did not quite understand the hon. Member who had opened the debate that evening, when he talked of "the religious section of the House." He was more liberal than that hon. Member, for he believed that there were several religious sections in that House, according to their respective modes of worship. As a Member of that House, he was anxious to disclaim the imputation of bigotry and persecution, which was declared to attach to all who voted as he intended to vote on that occasion. There were persons in this country who held the opinion that all attachment to religious truth was synonymous with bigotry, and to the principle of an Established Church synonymous with persecution. That opinion would find little favour on his side of the House; neither would it, he hoped, on the Treasury benches. He could not concur in the principle laid down by the noble Lord the Member for London, in introducing this question; and he did not believe it could be fully carried out in this country. It might in America, but not in England. He did not believe, indeed, that the noble Lord was himself prepared to carry it out to its full extent. The hon. Member who had just addressed the House described the measure as a mere completion of the measures of religious toleration promoted by the noble Lord the Prime Minister. How was the noble Lord prepared to deal with our Roman Catholic fellow-subjects? There were 8,000,000 of Roman Catholics in this country; and, according to the law and constitution, no one professing that religion could succeed to the Throne of these realms. That large body could not, under any circumstances, be governed by a Sovereign of the same religious persuasion as themselves. Here was a distinction between one religious body and another. Was the noble Lord prepared to abolish it? He had no difficulty in holding the principle of an established church, of which the Sovereign was the head. He was ready to maintain all religious disabilities which were necessary to support the principle of an established church; not because he was fond of disabilities in themselves — still less because he wished to punish persons of other religious persuasions—but because they were necessary to the maintenance of the institutions of our country. For the sake of the principle of an established church he was prepared to maintain the disabilities which affected 8,000,000 of Roman Catholics; and for the sake of the still broader principle of Christianity, he was prepared to maintain those which affected 40,000 Jews. The noble Lord, the Member for London had sneered at the idea of making a man a "Christian by the fag-end of an oath." He admitted that they could not by any form of words make a man a true Christian. Neither could they, by any code of morality, make a man truly virtuous; but this did not induce them to relax their code. The hon. Member who had just sat down had said that the words of the oath

would still be retained for those who professed to be Christians; but the argument of the noble Lord, if good for anything, would be equally good for its entire abolition. He disclaimed being actuated by any prejudices against the Jews; but he thought that in the reaction of feeling towards them there was rather a tendency to over-estimate their good qualities. He did not quite agree with some of the extravagant encomiums that had been passed upon them; but he had no wish to say anything against them, and was ready to admit that many of them were morally qualified to have seats in that House, provided there had not been the objection of their faith. They were told that consistency required that the House should pass this Bill—that they had given up the principle of a Church of England Parliament—of a Protestant Parliament—and therefore they must give up that of a Christian Parliament. He would admit that all that had been done was *un fait accompli;* but without going into those past questions, he would say that they afforded no good argument in the present case. They had abandoned the principle of a Church of England Legislature, because the increasing body of Dissenters in this country rendered it impossible to say with truth that it was a Church of England country. They had abandoned the principle of a Protestant Parliament, because the large body of Roman Catholics prevented them from saying it was a Protestant country; but they might still say with truth that it was a Christian country, and that they were therefore entitled to a Christian Legislature. Considerable importance had been attached to the citizens of London having returned a Jew as their representative. He did not think that the argument was entitled to much weight. The citizens of London were fond of speculation—they elected Baron Rothschild on speculation. They drew a bill upon the House for acceptance at a venture; and they were now very much in the position they were in some time ago in reference to railway schemes—very glad to take shares when they were at a premium, but very glad also when Parliament rejected the Bills, whereby they were saved from being obliged to pay up the remaining calls—the remaining calls in this case being the admission of Mahometans, Hindoos, and Turks. He did not believe that they were prepared to pay up those claims. He differed from the hon. Gentleman who opened this debate this evening, in his understanding of what had fallen from the noble Lord at the head of the Government. He understood the noble Lord to disclaim the notion that religion had nothing to do with politics; he understood him to say exactly the contrary; and he wished the noble Lord would instil the same principle into the citizens of London. [Mr. C. Pearson: The hon. Gentleman misapprehended what I stated.] The citizens of London having returned a Jew to Parliament had assented to the principle that religion had nothing to do with politics. They were told that there would be very few Jews in Parliament, and those only the *élite* of the nation—those who, by their superior merits, were able to overcome the prejudices of their position. He did not attach any great importance to numbers; but he thought they would have more Jews sitting in the House than some hon. Gentlemen anticipated. Did it never occur to those hon. Gentlemen that other superior qualifications as well as superior merit might overcome prejudices—that they might be overcome by superior wealth? If this Bill passed, they would find wealthy Jews do as wealthy Christians had done before them—endeavour to find their way into Parliament by means of their wealth. It had been said, on a former occasion, by a noble Lord (Viscount Morpeth), that they should emancipate the Jews because they might have suggested to the Grand Seignor the emancipation of the Greeks. But the Grand Seignor might, on other grounds, if he knew anything of this part of the world, say they were not very consistent with regard to civil rights. He might say something on the slavery system, and ask why they had passed the Sugar Bill to encourage slavery? But why was it that they had turned their attention to the emancipation of the Greeks? The fact was, there was a great number of Greek Christians who were looking to Russia for assistance, and that might possibly be the reason for suggesting to the Grand Seignor the emancipation of the Greeks. But the manner in which the Greeks had been treated in Turkey was quite different from that in which the Jews had been treated in England. He had travelled in Turkey, and he knew something of the way in which the Greeks were treated by the Turks. On one occasion, in Asia Minor, he had great difficulty in preventing his Turkish courier from horsewhipping the

Archbishop of Philadelphia because he would not give up his lodgings to him. Then the right hon. Gentleman the Member for Oxford said that although he felt the incongruity of Jews legislating for a Christian Church, yet he thought no evil was likely to arise from it, and that questions of Church legislation would be treated in that House with tenderness; and he fancied that he had already seen symptoms of that feeling amongst those who differed from the Church. His right hon. Friend had had more experience in that House than he; but during the short time that he had had a seat there, he could not say that he had seen much of that sympathy. He could not forget the manner in which the Bill for the preservation of a Welsh bishopric—one not intended to throw any new burden on the people—was received by some hon. Gentlemen opposite. They heard the cry of "No more bishops" from the hon. Member for Montrose; nor could he forget the manner in which that cry was received by other hon. Members opposite; and in the present Session they had heard terms applied to a colonial bishop for having done that which, if it had been done by a layman, would have been called standing up for a treaty and the rights of man. If the battle of the Church of England was fought in that House, he knew that his right hon. Friend would be foremost in the fight; but he would find it to his disadvantage that he had abandoned the principle of a Christian Legislature. Having abandoned that, he would find it more difficult to maintain the principle of a Christian Church. It had been said that when the Church was fenced round by disabilities, her position was not so secure as when some of them were removed, and he would not altogether deny its truth; but that was no reason why they should run into an opposite extreme. Let the Church do her duty, but at the same time assert her privileges. Otherwise what would they have? No doubt they would have a pure Church—a Church doing its duty as a Christian community, like the Episcopal Church in America and in Scotland; but they would cease to have an Established Church. That was a point upon which he held a very strong opinion, and differed from many persons who thought it of little importance. This was the last night of the debate; and as he knew many hon. Gentlemen were anxious to address the House, he would adhere to his original intention, and not extend his observations beyond declaring that he should certainly record his vote against the second reading of the Bill.

MR. HORSMAN said, no one who had heard, either on this or on previous occasions, the speeches of the hon. Gentleman who had just sat down, would think it necessary that he should disclaim the charge of bigotry. Much as the House must be struck by the ability which characterised the hon. Gentleman's speeches, he must say they were still more characterised by that candour, moderation, and justice which added weight to everything that fell from him in the House. For himself he regretted deeply to find that he differed from many hon. Gentlemen whose sincerity and zeal he admired, and in whose general objects he cordially sympathised. But his comfort was that they differed only in the mode and the means of acting—there was no difference between them in their great ends. He agreed with them in repudiating the doctrine that religion had nothing to do with politics. It had been said by a high authority—already alluded to by a noble Lord on the other side—that religion had no more to do with making laws than with making shoes. From his heart he repudiated such a sentiment, which was equally opposed to all our notions of human accountability and of common sense. The one was a mere mechanical occupation, carrying with it no moral consequences, and so might be altogether disconnected from any moral code; but the functions of a legislator were of a different character; his acts affected not merely the social but the moral condition of society; he discharged a solemn trust under a solemn responsibility; and he could not conceive how any man could disconnect religion from public affairs without proclaiming its worthlessness in private life. He was glad to see that this was the view of the subject which was generally taken by the House; and notwithstanding one or two remarks to the contrary which fell from his hon. Friend who had just sat down, he was sure that he and the hon. Gentleman who had so ably begun the debate, must take comfort at seeing that the importance of religion had not been at all denied in its course, but on the contrary, the House had indicated a profound conviction that religion should be the centre of a man's public as well as of his private character; and whatever might be the differences of opinion with regard to the relations of Church and State amongst them, it must

be admitted that during this debate the great and essential truth, that legislators should own the obligations of Christianity, had been on the whole more fully acknowledged and established than it had been before. The question before them was partly political and partly religious: first, it was a constitutional question, touching the rights and liberties of a portion of their fellow-subjects, and on that ground to be decided on constitutional maxims, guarding themselves against private prejudices and predilections. It appeared to him that there was one great fallacy pervading the speeches on the other side. It was generally assumed by Gentlemen on the opposite side, and stated by the hon. and learned Member for Midhurst, that Christianity was part and parcel of the law of England, and that the object was to repeal that law. He thought that was the argument which was put forward by the hon. and learned Member for Midhurst. Now, that statement, translated into plain English, would mean this, that in order to secure Christianity, they had by an express enactment excluded the Jews from Parliament, and now that there was a proposal to repeal that statute. That was not stated certainly in so many words, because that statement would be incorrect. There was no statute or law of that kind; and, therefore, the repeal of such a law was not the question before them. It was true that in former times there were laws specially excluding the Jews from the privileges enjoyed by Christians; and the laws went even further. The Jews were not merely subject to disabilities but to great degradation; and so long as those laws existed, it might be said that those laws were pointed against the Jews for the purpose of guarding Christianity. But every one of those laws had been repealed. The Legislature had admitted that those laws were unnecessary, impolitic, and unwise; and by degrees the Jews had been rescued, first from indignity, and then they had been relieved from every single disability placed upon them by statute. But when one law after another had been repealed, and the Jews had been rescued from every disability that was directed against them, there rose up an obstacle against their taking their seats in the House. A part of a statute which was passed for another purpose, and which had no reference to the Jews, rose up accidentally and unexpectedly to exclude them, and prevent them from taking their seats in that House. The question now was, whether Parliament having repealed every direct measure against the Jew, he was now to be debarred from entering the House by part of the provisions of another statute passed for another purpose, and having no reference whatever to him or to the maintenance of Christianity in this country? Every disability imposed upon the Jew by the Legislature had been removed, and consequently he was now in this position —in his character of a citizen he had to bear his full share of the national burdens —he might be compelled to carry arms in the State's defence; when they wanted his money or his services they treated him as a British subject, but when he asked for his privileges they reminded him that he was a Jew. As the law now stood, a Jew might be an elector; he might be in the army; he might be a juryman; he might be an alderman, sheriff, or landed proprietor; in the colonies he might be a legislator; and he might enjoy the power entrusted to him by the confidence of the people or the dignities conferred on him by the favour of the Crown. This was exemplified only in the course of the last year in the case of one family in this country. There were three brothers of the Rothschild family residing in this country. In the beginning of 1847 one of those brothers, by the favour of the Sovereign, was created a baronet; another brother was afterwards sheriff of Buckinghamshire; the other brother was at the last election chosen one of the representatives of London. They appointed Jews to fill the municipal offices of aldermen and sheriffs, and while all that occurred they were a perfectly Christian country; but once admit a Jew to be a Member of Parliament, and Christianity was at an end. It was said that Jews should have nothing to do in the administration of the Church, and therefore this measure should not be passed; but he would remind the House that Jews could, at this moment, compose vestries and elect the vicar, and administer parochial funds; but the most incredible circumstance of all—what must shock the feelings of the hon. Gentleman the Member for Dorsetshire (Mr. Seymer), a Jew, as proprietor of an advowson, might appoint a minister to administer the functions of religion in their Christian Church. When they were proposing to give the Jews a certain portion of political power, then it was said their Christianity was in danger; but now, when the Jews actually held a

power in the Christian Church, they felt their Christianity was not polluted or trenched upon, and they were still a purely Christian community. Again, through some of the offices to which they had elected Jews, they might be officially present in Christian churches during the ceremonies that took place. The presence of a Jew on a recent occasion in the church of Bow had been alluded to during a most edifying spectacle, when the public were invited to come forward and raise their voices only to be stifled, and to get up to make objections only to be refused a hearing. On that occasion a Jew alderman was present during the confirmation, and he was told, was seen kneeling side by side with Dean Merewether in the corporation pew; and an eye-witness informed him that so little visible were the distinctive marks of creed and race, that even his hon. Friend (Sir R. H. Inglis), if he had seen Alderman Salomons and the Dean of Hereford sitting together on that occasion, might not have been able to say, "which the Christian was and which the Jew." The citizens of London had placed their representation in the hands of Baron de Rothschild, and had called upon the House to receive him as their representative. The question was, what answer they were to return. Remembering their previous legislation, were they now to say it was all a mistake? Were they to retrace their steps, or were they to say they concurred in the justice of their previous course, and were resolved to persevere in it? Or were they to take an intermediate course—too true to their former principle to retreat, and too timid to advance? Were they to perpetuate an absurd anomaly, and inflict by their capricious legislation a cruel injustice? The noble Lord the Member for Bath had raised a distinction, the importance of which it was impossible to deny, if it could be fully established and carried out. He said on a previous occasion that hitherto they had been merely giving privileges to the Jews, but now for the first time they were conferring upon them direct powers. The noble Lord (Lord Ashley), stated that the fact of a man being qualified to administer the laws, was no proof that he was qualified to make the laws; but, at the same time, according to the constitution and the practice, it was a strong presumption that he was so qualified, and the *onus* of proving the disqualification rested upon his opponents. If a man were fit to be a magistrate, a sheriff, or a legislator in their colonies, it must be shown why he was not also fit to be a legislator in this country. He should now refer again to the religious part of the question. If they imposed disqualifications on religious grounds, they must show the necessity and the danger against which they were providing. After listening to the speeches that had been made on the other side of the question, he was not able to gather from them what were the dangers they pointed at, and what was the necessity on which they insisted. If upon political and constitutional grounds no practical evil could be shown to arise from the passing of this measure, what, he asked, was the real practical danger that could arise on religious grounds? He admitted that was the most important part of the subject; and he hoped on that point to receive a definite answer. It was said when Roman Catholic Emancipation was opposed, that the members of that creed might use the powers they might acquire to the prejudice of the Established Church. But no such practical danger could be said to arise on the present occasion; and even with respect to the admission of Dissenters and Catholics to seats in that House, the Church, so far from being weakened thereby, was now much stronger in the affections of the people. But the old cry of the Church in danger had been given up, and the new cry of Christianity in danger was substituted in its place. He would ask what the danger to Christianity was? There was a vague, mysterious, unmentionable alarm pervading all the speeches that had been made on this question; but anything tangible, anything they could lay hold of in the shape of dangers, he had not been able to detect. Would it make one Christian less in the country? Would it make one Jew more? Would the Christians, on this measure obtaining the Royal assent, be less firm in their faith? Would the Jews be more established in theirs? It must be remembered that this Bill did not give the Jews the right to sit in Parliament; it only gave to Christians the right to elect them. It seemed to him that the opponents of this Bill placed their objections not upon policy, but upon fear; and that fear on the part of Christians was more degrading and insulting to Christianity than would be the invasion of a whole tribe of Hebrews. When it was said that Christianity was in danger, he asked why was the Church more in danger than the Synagogue? They had endeavoured,

sometimes with success, to wean the Jews from their faith; but did they find any instance of Jews making proselytes of Christians? It was not thus the Founder of Christianity estimated its value. Such was not the faith of those men who, going forth into a hostile land, encountered persecution, braved the gibbet and the rack, and were willing to suffer death itself in token of that faith which they knew must one day overspread the world. And if the faith which sustained the small band of unprotected missionaries of the truth shook thrones and empires to their centre—if one poor persecuted preacher—familiar with stripes and dungeons, led forth, a solitary captive, amidst an execrating multitude—caused an Imperial Viceroy to tremble on his throne—if Christianity, in its infancy, thus insulted, persecuted, and afflicted, were able to prevail over principalities and powers, how came it now, when she had them all on her side—when her enemies were prostrate and herself triumphant—how was it that now she felt fear, and cried out for weakness? In the hour of her obscurity a fearless and advancing martyr—why did they point to her now, in the day of her exaltation, as a tottering and trembling tyrant? Why did her champions now never enter into a contest without anticipating defeat? He asked that question of his hon. Friend who had spoken last. He would ask it of the hon. Baronet the Member for the University of Oxford. That hon. Baronet filled no mean place in the estimation of the Christian world. Thousands to whom he was personally unknown had been taught to revere his name; and those who differed most from the hon. Baronet in that House, paid a ready tribute of admiration to a character in which they saw united such intense political ardour with so much Christian mildness—a spirit which knew no fear, and a heart in which was no gall. If the days of religious persecution were revived, the hon. Baronet would be the foremost to attest, by the intrepidity of his martyrdom, the immortality of his Christian faith. Yet, strange to say, a great part of the hon. Baronet's life had been occupied in proclaiming the weakness of his own religion, and its possible if not probable downfall. He hoped he should be considered incapable of speaking irreverently of the character of a Gentleman whom he held in the greatest veneration; but he (Mr. Horsman) must repeat that on every political occasion a panic cry had been raised by the hon. Baronet, and by those who considered themselves the best friends of the Church. When the Test and Corporation Acts were repealed, according to the apprehensions of the party of whom the hon. Baronet was the distinguished leader, the Established Church had received its death blow. When the Roman Catholic Relief Bill was passed, the sun of Protestantism had set for ever. And now, if they allowed one Jew to enter the House of Commons, the faith of 655 Christians would make to itself wings and fly off to Jerusalem or Jericho. He was speaking politically; and if men were to be judged rather by their language than their lives, he should say that the hon. Baronet and his followers girded themselves for each succeeding conflict, not in faith, but in fear. According to them the Church could meet no enemy which would not be too strong for her—she could enter into no conflict in which she would not be certain to be overcome. Was there any wisdom—any truth—any religion in that cry? Had the cry proceeded from the professed enemies of the Church—were it the taunt of the infidel, or jest of the scoffer—the country would have rightly estimated the value of it; but issuing from the bosom of the Church herself, and proclaimed by her favourite sons, it might be pregnant with mischief. Christianity in danger from Judaism! Whence had that new light sprung? If they looked to the past, did they read it in history? If they looked to the future, did they read it in prophecy? And see what advantage they gave by such a course to their common enemies! How easy for their common enemies to place them in a great dilemma! It enabled them to say that the friends of the Establishment had either exaggerated a danger which did not exist, and they had feigned a distrust which they could not feel—or that in their hearts they believed Christianity to be an unreal thing—frail, perishable, and unsound—too delicate to be handled—too ricketty to be roughly shaken—imposing when unassailed, but liable to be shaken to pieces by every ill wind that blew upon it. He was speaking only politically. He could have no sympathy with those who thus impugned the divinity of the religion they professed. He would not take Christianity on their misrepresentations. She required not the aid of enactments to support her. He thought, with Locke, that "things in religion which were the invention of men, required the invention of men to support them; but the things in re-

ligion which were of God, required not the aid of human authority to support them." In league with intolerance, religion presented the spectacle of a house divided against itself. It was her function to interfere in politics, but to interfere in a just, generous, and peaceful spirit. He agreed with an hon. Gentleman who had already addressed the House on this question, that "perfect Christianity is perfect liberality." They sometimes heard of the errors of Popery; but there was no error in Popery so great as that which Protestants committed when they allowed Popery to monopolise all the charity, good-will, and persuasion, reserving to themselves only those external appliances which, instead of producing peace and concord, generated the worst of feelings. He had heard something approaching to it from the right hon. Gentleman the Member for the University of Oxford; and more distinctly from the noble Lord the Member for Arundel, to whose speech he had listened with great pleasure. It was upon Christian principle that he supported this measure — because he had faith in the eternal essence of Christianity—its imperishable attributes and assured triumphs, that he would not suffer it to be degraded by these unworthy contests which could only be carried on by disparaging the influences of divine truth, and exaggerating the efficacy of carnal weapons. They who supported that measure had no apology to make—the apology, if any, was due from those who exhibited to the world the melancholy spectacle of Christianity deserted by her own children—who mistrusted the principles for which they ought to fight—and soiled the banner under which Christians should feel sure of victory. Those who gave their assent to this measure needed no apology; for they felt that their faith was secure. But, if excuses were required from any, they were required from those who placed their opposition to the measure on the inherent weakness of their own religion; who, to those who wish to misinterpret their meaning, exhibited the spectacle of Christianity distrusted by her own children; and who, by their fears and misgivings, dishonoured their cause, and soiled the banner under which Christians should rejoice to fight.

Mr. SPOONER approached the discussion of the question with a full appreciation of the difficulties by which it was surrounded, and with a deep feeling of his own inability. Had he followed the bent of his own inclination, he should have given a silent vote on the present occasion; but he felt that he should not be discharging his duty to that numerous and respectable constituency whom he had the honour to represent, if he did not endeavour to the best of his power to state the reasons which had induced him to come to the conclusion that the Bill ought not to pass. The hon. and learned Gentleman the Member for Cockermouth (Mr. Horsman) had delivered a speech which, in all its essential parts, completely contradicted itself. The hon. and learned Gentleman set out by admitting broadly that religion ought to enter into all the concerns of this life—that it should be the guide of men in their private station, and in the performance of their public duties; and yet he came to the conclusion that it would be right and proper to call a Jew into that House to act upon *his* religion and *his* principles; and the hon. Gentleman maintained that the Jew would be a proper person to legislate for a Christian community—that he could do his duty to a Christian people. He (Mr. Spooner) differed most entirely from the hon. Gentleman. At the close of his speech the hon. Gentleman had made so complete a misrepresentation of the views of those who opposed the measure—so palpable a misrepresentation—that he felt it would almost be a waste of time to answer the hon. and learned Gentleman. Did they fear for the safety of their Church? They had no such fear. Christianity was founded on the basis of eternal truth; and the Christian Church would stand and flourish for ever, despite the opposition that might be directed against it. There was, however, one fear that he did entertain—that, blessed with Christianity as they had been, and with all its attendant advantages, they should prove themselves unworthy of the privileges they had enjoyed by permitting persons to come into that House, and to approach that table, who disavowed, who repudiated Christianity. Would the nation prove itself so unmindful of Christian principles, would the House so reject those principles, as to suffer their table to be approached by a Jew? Was the House prepared to admit men to legislate for a Christian nation, who denied the divinity of the Saviour, and dealt with the Gospel as a fable—men who treated our Lord the Saviour as a crucified impostor, and his Gospel as an imposture? The Jews believed in the truths of the Old

Testament. They believed in all the types and ceremonies of the Levitical law; they believed in the prophecies, they believed those prophecies to have been written by the persons, at the times, and under the circumstances in which they were stated to have been written. They believed all that, and yet they denied that He who said "Search the Scriptures, for in them ye think ye have eternal life, and these are they which testify of me," was the Messiah referred to in the prophecies, asserting, on the contrary, that Jesus of Nazareth was a crucified impostor, and his Gospel a fable. He thought he had now made out his case. [*Laughter.*] Hon. Gentlemen might laugh, but he would just say that the present was not a subject for laughter. It was not a subject to be treated or disposed of under the influence of party feeling. The hon. and learned Member for Cockermouth had said, "Show me the constitutional doctrine which bears against the admission of the Jews—argue the point upon that ground." The hon. and learned Member laid down a law, in the first instance, to which he could not agree, and to which he did not think a majority of the House would agree, that any subject of the realm had an abstract right to a seat in that House. [Mr. HORSMAN: I never said so.] Perhaps the hon. and learned Gentleman did not say so in so many words; but he said that from which no other conclusion could be drawn, for he did complain of depriving the Jews of the rights of British subjects, and amongst those rights he specified the right to a seat in that House. Taking the constitution as it had existed for centuries, and still existed, he was prepared to prove that it was impossible it could be preserved, if persons who were not believers or professed believers in the Christian religion, were admitted to seats in Parliament. The Sovereign, on his or her part, swore to maintain the true profession of the Gospel and the Protestant reformed religion, as established in these realms. How could that religion be preserved if persons were allowed to take part in the framing of laws who denied the truth of that very religion which the Sovereign became bound to preserve and perpetuate? Surely, if that policy was to be adopted, it would be necessary to release the Sovereign from the obligation of the coronation oath; for it was impossible it could be observed if the framers of the laws were no longer invested with the Christian character. [An Hon. MEMBER: What say you to the Roman Catholics?] He was now talking of Jews; but if he were told that persons had already been admitted who were known not to hold the truth of the Gospel—according to the view taken by the Established Church—that in doing so we had almost lost the clear and definite character of Christianity—that we could no longer lay our finger upon that which constituted our claim to that distinctive character—that because we had lost our great characteristic, therefore we were to strike Christianity itself out of our Legislature. For his part, he could come to no such conclusion. He would only say, without entering into any inquiry as to whether that which had already been done was right or wrong, that hitherto Parliament had required a profession of faith in the Christian religion—all that human beings could require; and it was now proposed to abolish that requirement, and let any one come in and take his seat, although he might do so openly avowing he was not a Christian. He had heard it argued, too, that not only ought Jews to be admitted, but Hindoos and Mussulmen. He had not heard anything said about infidels, although their admission must follow as a necessary consequence. What answer can you give to an open avowed infidel when he claims to be admitted to a seat in this House? He will naturally, and with great reason, say—"You admit he Jew, who denys the Divine authority and inspiration of the New Testament—I deny the truth of the whole Bible. Do you hold the Old Testament in higher estimation than you do the New? If you do not, why do you admit the Jew, who rejects the New Testament, and exclude the infidel, who denies both?" They might depend upon this, that if they made this concession now, that others would be required from them hereafter. Even the Bill before the House assumed that they had the right of limiting the admission of persons according to their religious profession. The Bill now submitted was full of limitations as regarded offices which could not be filled by Jews; and to a certainty the time would come when the repeal of those clauses would be demanded. There was one point upon which he wished to make a few remarks, and it was upon the difference which seemed to exist between the noble Lord at the head of the Government and a right hon. Gentleman, high in the councils of Her Majesty (Mr.

Macaulay), who had not now a seat in that House, as to the obligation which devolved not only upon Government, but upon every individual, to regulate his conduct by religious principle. He (Mr. Spooner) understood that the noble Lord the Member for Bath (Lord Ashley) had quoted a passage from the writings of the right hon. Gentleman to whom he had alluded, and had commented upon the sentiment conveyed. He would not, therefore, enter upon the same topic; but would content himself with expressing his deep regret at seeing that hon. and learned Gentleman assert that they might as well expect essentially Christian cookery as essentially Christian legislation. He had also spoken of Government as of one great system of police, asserting that its only object was to take care of the property and lives of Her Majesty's subjects. It appeared to him that the expressions used by the right hon. Gentleman the Paymaster of the Forces, were anything but suitable to the solemnity of the subject. His expressions were conceived in a very different spirit to the declaration made by the noble Lord at the head of the Government—a declaration, however, which it was needless for the noble Lord to have made, for his well-known public character vouched for him that he held those views; and doubtless those who had the honour to enjoy his private acquaintance could testify the same. He intended, however, to have asked the noble Lord, if he had been present, or any of his Colleagues, to explain. [Mr. Stafford: Where are they?] He confessed that he was prepared to put the same question, but he scarcely thought it worth while, considering the difficulties under which men in office laboured—how hard their work was, and how little inviting it must be, after the labours of the day were over, to come down night after night, and listen to such debates. When he sat on that (the Ministerial) side of the House, however, he never remembered looking down and seeing the Treasury benches in that empty state. He was the more surprised, as this was not a question brought forward by an individual Member, but a measure formally submitted by the Government themselves to the consideration of the House; and yet they did not condescend to be present to hear, not what individual Members might say, but what the constitutional representatives of the people had to offer against their Bill. It would become Ministers of the Crown to pay at least that respect to the representatives of the people as to hear their objections to the scheme they had propounded. Returning, hower, to the sentiment of the right hon. Gentleman (Mr. Macaulay), he would ask upon what authority did he ground his assertion that Government was nothing more than a great system of police? He could not found his remark upon the constitution, for he (Mr. Spooner) had shown from the coronation oath that the compact between Sovereign and people was a religious one. Was the remark founded upon the daily practice of the House? What was that practice? Did they not begin their proceedings every day by praying for the guidance and direction of Almighty God, that in all their deliberations they might advance the cause of true religion and piety? But assuming, which he did not for a moment admit, that they should proceed on the narrow ground of a police, he then asked how were they to preserve the liberty, property, and lives of their fellow-subjects?—how were they to induce men to abstain from rapine, and to get their bread by their honest industry, but by a code of morality?—and show him the code equal to the Christian code—show him the motives by which such code can be enforced to be compared with the motives afforded by the Christian faith. He was sorry that the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone) was not present. The right hon. Gentleman, in a pamphlet which he had recently published on this question, and in the speech which he delivered on a former occasion, had given a history of the various contests which had taken place upon the subject of admission to the House of Commons. The first stand, he observed, was for a Church House of Commons—that was lost; then came a struggle to preserve a Protestant House of Commons—that was lost; and now, he said, the battle was for a Christian House of Commons. The inference drawn by the right hon. Gentleman seemed to be, that such a variety of shades of religious opinion having been introduced into the House of Commons, the distinctive character of the House as a Christian Legislature had been nearly obliterated; and, therefore, it was not worth while to preserve what remained. He thought the right hon. Gentleman must have some other scheme behind, which he thought it was the duty of the right hon. Gentleman to explain. He spoke of dealing tenderly with the Church. What did he mean by that? He (Mr. Spooner) would tell the House, having read the pamphlet with great attention, that there was something

mysterious in it—something lurking within it, which the author seemed to hesitate to bring out, or perhaps wished to conceal till a proper time came for announcing it to the world. Upon these points he would have asked the right hon. Gentleman for an explanation, had he been present. In conclusion, he (Mr. Spooner) would implore individual Members of that House not to shelter themselves under the plea of the responsibility of their party. Every one who voted upon the present question did so under great and deep responsibility. He was not one of those who despised the obligations of party. He knew that, according to the form of the English Government, it was necessary to act with a party in carrying out political objects; and this he was prepared to do, yielding up his own opinions on minor points, in order that the success of larger objects might be secured or promoted; but he could not afford to give up principle to party, and therefore he should give his most ready support to the Amendment of his hon. Friend. In making this decision, he knew that what he did might subject him to the terms of being a bigot, and being intolerant. He valued too much the good opinion of his fellow-subjects to be indifferent to such charges; but he dared not shrink from the avowal of his honest opinions. He dared not shrink from the expression of his conscientious opinions, because if he did so he would be justly charged with denying that blessed Saviour who had said, "He who denieth me before men, him will I deny before my Father who is in heaven!"

Mr. COCKBURN said: I trust, Sir, that I shall have the indulgence of the House, and that I may obtain for a short time a hearing, whilst I endeavour to explain the grounds upon which I am prepared to give my support to the measure now under consideration. It appears to me to be utterly impossible to deny, as a general proposition, the principle upon which this measure is submitted for our adoption. That every subject of this realm who is bound by the obligations incidental to that character—who owes and bears due allegiance to the Sovereign—who contributes to the burdens of the State—and who is bound in case of national danger to risk life and limb in the defence of the country—ought to be held to be entitled to participate in all the civil and political rights incidental to the condition of a subject, independently of his religious opinions, whatever they may be, appears to me to be a proposition, from which, when its terms are understood, it is impossible to dissent. I admit, however, that it must be taken with certain qualifications. I admit that if the circumstances of any class of men are such as that their admittance to political power would be attended with detriment or danger to the State, or to that religion which it ought to be our desire as well as our duty to uphold—then their case does not fall within the limits of the proposition with which I set out, but constitutes an exception to it. And when the principle which I have laid down is stated with this qualification, a great many of the arguments that have been urged by hon. Members on the other side of the House will be found to be superfluous. Sir, hon. Members on the other side have hitherto had a complete monopoly of one subject during the debate—that of eulogising the Christian religion, and upholding the importance of the Church. Sir, I deny their right to this monopoly. I deny that those hon. Gentlemen who support this Bill are less anxious for the preservation of the Christian religion, than hon. Members opposite. They may, therefore, spare themselves the labour of such championship. I do not deny the major premiss of your syllogism, that if the admission of the Jews to Parliament would be attended with danger to the Christian religion, they ought not to be admitted; but I do deny your minor premiss, namely, that their admission would, in fact, be attended with any such danger: and I say we are justified in calling on you to make out your case, and to show that they form an exception to the general rule. Upon you who are prepared on this ground to deny to forty thousand of Her Majesty's subjects the enjoyment of the constitutional rights and privileges of their fellow-subjects—upon you, it appears to me, clearly devolves the burden of the proof—upon you, undoubtedly, rests the weight of the case. But my hon. and learned Friend the hon. Member for Midhurst attempts to deprive us of the advantage of this position. He replies to us and says—"We take our stand upon the existing law and constitution, and inasmuch as the existing law and constitution prohibit the Jews from sitting in Parliament, it rests upon you who attempt to admit them, to show cause for making such an alteration." Now, Sir, this looks a specious argument at first sight. But I join issue with my hon. and learned Friend upon it—I

deny his proposition altogether. But let me say at the outset, that even if the constitutional doctrine were as my hon. and learned Friend represents it, it would be entitled to no consideration at our hands. For if our law and our constitution were such as to sanction political injustice, or, what to my mind is almost as bad, political folly, the only consequence which would seem to me to follow, would be, that our constitution and our law required immediate amendment in this particular. And as you have admitted the Roman Catholics to Parliament, after they had been excluded from it by law for two centuries and a half, that you should now make a difficulty about admitting Jews, to exclude whom you have never had a single law upon your Statute-book, appears to me like straining at the gnat, after having swallowed the camel. I must beg leave to repeat the assertion I have just made. I emphatically assert that you have never had, since Parliament was first constituted, to the present time, a law, either direct or indirect, which had for its aim, object, or design, the exclusion of the Jews from Parliament. Their present exclusion, Sir, is not the result of legislative design, but of legislative accident. All your laws for the exclusion of certain persons from a full participation in constitutional rights and privileges, upon the ground of religion, have been directed against one particular class—the Roman Catholics. You never had one single Act to exclude the Jews; but they have been excluded accidentally by the operation of words introduced for the purpose of excluding Roman Catholics. The statutes on the subject are very few, and I trust I may be allowed the indulgence of the House whilst I briefly refer to them. It appears to me that the result will be to show that the state of our legislation on this subject is so fraught with anomaly and absurdity, and so utterly derogatory to the dignity of the Legislature, and of the nation, as to afford an additional argument, if any were wanting, for getting rid of the existing law. Sir, according to the original constitution of Parliament, eligibility to this House depended solely upon the choice of the constituencies. There was no restriction either upon the electors or the elected in respect of religion. There was no such thing known, until the reign of Queen Elizabeth, as a disqualification on the ground of religion. It first arose when the contentions were going on between Protestants and Roman Catholics, when the two parties were struggling for power. After the Protestant Church had gone through a period of extreme peril and danger, and had attained power by the accession of a Protestant Sovereign, the Protestant party took every measure within their reach to secure their own ascendancy and to keep down their religious opponents. For that purpose the oath of supremacy, denying the authority of the Papal See, was introduced; and it was introduced for the sole purpose of excluding Roman Catholics from political power. This was the whole that was done in the reign of Queen Elizabeth. In the 3rd of King James, however, came the enactment of another oath, because the former was not deemed sufficiently effectual. For what purpose was that oath introduced? For the sole purpose of excluding Roman Catholics from office and power in the State. It is intituled, "An Act for the Repression of Popish Recusants;" and it is in that statute that the words which constitute the present difficulty were first introduced. Sir, that oath was introduced immediately after the discovery of the great Popish or gunpowder plot. It was alleged that the Jesuits had instigated that plot; and it was generally known, or at least generally believed, that the Jesuits of that day upheld the wicked and dangerous morality of swearing with mental reservations, and of teaching those persons who were in communion with their religion that they could take an oath with their lips, but could evade it by giving a different construction and meaning to it in their minds. Indeed, every one who remembers reading the trial of the Jesuit, Garnet, for his participation in that plot, will recollect that a great part of the speech of the Attorney General (Sir Edward Coke), and a great portion also of the interrogatories of the commissioners on that trial, related to the mental reservation and equivocation which the Roman Catholics of that day were believed to consider admissible in the matter of oaths. And Garnet himself, in distinct terms, admitted that if an oath were put to a person by those who had no right to put it, and the taking of which would be contrary to the interests of his religion, that person could take it without having any internal intention of being bound by it. The consequence was that a particular form of words was introduced into the oath for the purpose of preventing any Roman Catholic from taking

it. These words were to the following effect:—

"All these things I do plainly and sincerely promise and swear in the meaning and sense of the words, without any equivocation, mental reservation, or qualification whatsoever. And I make this oath not by compulsion, but voluntarily, and this I swear upon the true faith of a Christian."

Now, Sir, the whole of this form of words was framed in order to encircle and enclose the conscience of the Roman Catholic as it were within a net, the meshes of which should be so strong and fine as to render it impossible to escape through them. Nothing more was done until the 30th of Charles II., when came the Act which imposed the declaration against the doctrine of transubstantiation. That that Act was passed solely against Roman Catholics, no man can entertain the least doubt. Its avowed object was the exclusion of Roman Catholics from power and from Parliament. It professes to have that object both in its title and preamble. On the accession of William and Mary, all these statutes were repealed, and the former oaths abrogated, and the oaths of allegiance and supremacy as we now take them, were substituted in their stead; and so things remained till the 13th of William III. You say, that according to the constitution and the law of this country no Jew could possibly enter the walls of Parliament. I say that from the accession of William and Mary, until the latter end of the reign of William III., there was nothing to prevent a Jew from taking his seat in this House. In the 13th of William III., however, came the oath of abjuration. That, again, was directed solely against the Roman Catholics. It was passed at a time when the health of the King was rapidly sinking, when the King of France had just acknowledged the son of James II., as the King of these realms, and when men's minds were agitated by fears respecting the Protestant succession. The fortunes of the Stuart family were so connected with the ascendancy of the Catholic religion, that it was believed the Roman Catholics generally favoured the pretensions of that family to the Throne: hence the oath was directed mainly against the Roman Catholics. Now, this oath was framed on the model of the oath imposed by the repealed Statute of the 3rd James I.; and hence the form of words, ending with the words "on the true faith of a Christian," which I have already shown to have been addressed to the conscience of the Catholic, were imported into this. It is this oath of abjuration (continued as it has been with unimportant modifications to our day) or rather these particular words in it, that constitute the stumbling-block which prevents the entrance of the Jew over the threshold of this House. I think I have then established beyond the possibility of dispute, that the whole of our legislation which has reference to religious qualifications has not been directed against the Jews, nor even to the maintaining of the general Christianity of the House, but solely against the Roman Catholics. I have therefore shown you one anomaly: I will now point out another still more striking. You have thought it right to change the state of your law with respect to the Roman Catholics. You found it right to admit that portion of your fellow-subjects to the enjoyment of political rights, whom for two centuries and a half you had excluded. In order to do that you found it necessary to remodel the oaths upon your Statute-book. You framed a new oath for the Catholic. You left out the denial of the spiritual supremacy of the Pope: you altered the latter portion of the oath; and you omitted the words which are to be found in the old oath of abjuration, "on the true faith of a Christian." So that you have altogether altered the form of oath to be taken by the Roman Catholics. Yet when you got rid of these oaths, so far as they related to the Roman Catholics, against whom alone they were directed, you maintained them in all their severity with regard to all the rest of Her Majesty's subjects, to whom they were never intended to apply. Now, that is a most anomalous state of things. It is surely one of which the Jew has a right to complain. But this is not all. What is this oath in which this formula occurs? The Jew can take the oath of allegiance because his loyalty is undivided and unquestionable. He can take the oath of supremacy because he does not believe that any foreign potentate does or ought to exercise any authority, spiritual or otherwise, over him. Nor, indeed, has he the slightest hesitation in taking the oath of abjuration and repudiating the claims of any Pretender to the Throne of these realms. But what is this oath, in which from the use of certain words a difficulty occurs? An oath of abjuration of the family of a Pretender who has been dead some hundred years! Why, Sir, I ask is there a single man who takes that oath who does it without feeling some

sense of the ridiculous mingle with the solemnity of the ceremony? With a dynasty which has now occupied the Throne of these realms upwards of a hundred years without dispute—which has become identified with our institutions and our fortunes—with a Sovereign who, if ever Sovereign was entitled to that noblest of all titles and proudest of all prerogatives—may be said to reign in the hearts of Her people, and to have Her Throne based upon their affections—is it not an insult to the loyalty of the subject, and a still greater affront to the dignity of the Sovereign, to call upon us to take an oath which is a mockery, implying as it does that She requires such a protection against the attempts of an imaginary Pretender to Her Throne? I may be told, however, that it matters not, if upon the merits of the case the Jew ought to be excluded, whether he be excluded by a direct enactment or by a side wind—by means of an oath which occurs accidentally? It makes this difference, as it appears to me. If at the time you let in Roman Catholics to power, you had altered the oath alike with respect to all other of Her Majesty's subjects, the opponents of the Jews would then have been under the necessity of bringing forward a direct measure for their exclusion; and such a measure they would never have been able to carry through this House. Not, however, that it is necessary for us to rely upon any such technical ground, for we assert that upon the merits of the case the Jew is entitled to admission. Firstly, are the Jews British subjects? Upon that point, I apprehend, there cannot be a doubt. They are liable to all the obligations of subjects. They pay taxes equally with the rest of us. The Chancellor of the Exchequer dips his hand into the Jew's pocket and takes his money with as much complacency as that of the most orthodox Christian. He says, *Non olet:* there is no odour of Judaism about it which makes it less acceptable to him. Jews are, in like manner, liable to discharge all civil duties. They are called upon to fill the office of sheriff. They are elected to the corporate offices of the realm; and if they refuse to act, they are subject, like others, to fines as the penalty for such refusal. Thus you call upon them to perform all the duties of subjects: why then deny them the rights incidental to that character? My hon. and learned Friend the Member for Midhurst says that the Jew is not to be considered a subject of this realm, because he is very little more or better than a naturalised alien. Sir, I was very much surprised upon hearing such a term as that of naturalised alien applied to the Jews. What, Sir! the men who have been born and bred in the land, whose forefathers have been settled and living in this country for, perhaps, two centuries, are they to be considered as no more than naturalised aliens? I cannot understand how my hon. and learned Friend can put forward such an argument. Has not the Jew the same interest as the rest of his fellow-subjects in all that affects the country—in good legislation, in the proper administration of the law, in the nature of the laws regulating the commercial transactions of the kingdom—in short, in all things relating to the general welfare of the community? Do you think the Jew has not the same sensibilities as other men—that he is dead to all those associations and attachments, local, social, and domestic, which engender and keep alive the love of our country? Can any one doubt that if this country were invaded, the Jew would be as forward as any other Englishman in his struggles for its defence? Let me, if there be any one who does so doubt, call his attention to the war of liberation in Germany, when the Jews rose as readily as any other Germans to throw off the yoke of the French. I say, therefore, that to assert that men who are good citizens—whose loyalty is unquestioned and unquestionable—who have been always ready to stand up for the defence of their country—who are ready to make all necessary sacrifices for its common welfare—should be characterised as naturalised aliens, is monstrous. Again, then, I ask, if the Jews are entitled to be considered as good subjects and citizens, why should they not be admitted to a community of political rights? My hon. and learned Friend is the only one who has suggested that they have not the same affection for this country as other Englishmen, inasmuch as they expect to be led back by a triumphant Messiah to the land of their fathers. That this may be a part of the poetry and the aspirations of this people is possible; but to suppose that it has the slighest practical effect upon their conduct as subjects or citizens is a most absurd and preposterous notion. That the Jews, torn from the land of their fathers, scattered abroad among the nations of the earth, repudiated by the people amid whom they were thrown, trampled upon, oppressed, persecuted, and degraded, may have found consolation in the prophecies and traditions of their race—that they have looked

forward through the gloom and darkness which surrounded them, to the only gleam of light which shone upon the horizon of the far east from which they came, is perfectly credible—it is in human nature that it should be so; but it appears to me an outrage on common sense to say that expectations so indefinite and remote can have the slightest practical influence on their conduct in their relations with existing things. Why, then, are they to be debarred from the common rights of subjects? To be sure, my hon. and learned Friend opposite says that the subject has not necessarily any political rights at all; that all he is absolutely entitled to are certain civil rights, such as the right of property, and of personal freedom and security. But is this the utmost extent to which the doctrine of the rights of the subject is to be carried? Is it only to personal liberty and safety, and the security of property, that a British subject is entitled? I protest most emphatically against such a doctrine. I apprehend that the subject of a free State like our own, is entitled to all the honours and advantages which the institutions of the country afford. And I conceive that it is not only for the benefit of individuals, but for the general advantage of the State, that this should be the case. It is for the common benefit that the number of those eligible for the service of the people and of the State, should be extended to the utmost possible limit consistent with the public safety and convenience. I do not deny, however, that under some circumstances it may be necessary to exclude certain persons from the full enjoyment of political rights: in the case, for instance, of the minor, or the ecclesiastic, or the judge; the first, on account of a want of maturity of years—the second, lest the sacred nature of his calling should suffer from contact with party interest and political passions—the judge, from considerations of an analogous character—may be properly excluded from political power; yet these exclusions are justifiable only upon considerations of public policy and of the general good. But I contend, that we have no right, without sufficient reasons, based and founded upon the public interest, arbitrarily, and of our own mere will, to exclude any particular class of individuals from participation in political rights. What would my hon. and learned Friend, who says that the subject has not necessarily any political rights, say, if Parliament were to take upon itself to exclude all members of the legal profession? There was one Parliament from which they were excluded; but we had our revenge; we stamped it with the name of the "Parliamentum indoctum;" and Sir Edward Coke has taken care to hand down to posterity the fact, that there never was a good law made in it. If it were proposed arbitrarily to exclude a body of whom my hon. and learned Friend (Mr. Walpole), with his accomplishments, his learning, and his eloquence, is so favourable a specimen, would he be satisfied if his remonstrance were answered by a denial of the subject having any right to political power? But to return to the question. Sir, I must say that I think this line of argument weak, unsatisfactory, and unsubstantial. I assert as as incontrovertible proposition that British subjects are entitled, according to their particular position and qualifications, to all the political rights incidental to their character and position, unless there is some peculiarity in their circumstances or position sufficient to justify, on considerations of public policy, the withholding of those rights. Sir, this brings me to the question, is there anything in the religion of the Jews that can be fairly said to be calculated to lead to the mischiefs and dangers on which hon. Gentlemen rely as the ground of their objection to this measure? I take it that these dangers must be of one or other of these two characters: they must be either of a political or of a religious kind. Now, I ask, do you really apprehend anything of political mischief from the concession to the Jews of a right to sit in this House? Why, Sir, all the zeal of hon. Gentlemen on the other side of the House has not induced them to suggest the slightest idea of any political danger from the admission of the Jews to seats in Parliament. But I, on the other hand, ask, does not political wisdom suggest to you to crown the concessions which you have already made to the Jews by this further act of justice, so as to leave them nothing to complain of? The Legislature has done one of two things: either it has gone too far already, or it has not gone far enough. Admission into these walls is not the only element of power. Wealth is power, and you have allowed the Jews to grow into a wealthy as well as an enlightened people. You have enabled them to root themselves to the soil, by doing away with the laws which prevented them from holding landed property. You have gone a step further. You have admitted them to hold the highest

civil offices and employments. You have admitted them to the office of sheriff. You permit them to become magistrates. You have admitted them into your corporations. At this moment a gentleman of wealth, character, and station, is an alderman of the metropolis, and may, before long, become the chief magistrate of the first commercial city of the world. You have thus admitted the Jews to power, and I am therefore right in saying that you have either done too much or too little; and if so, does not political wisdom point out to you the propriety of taking away the remainder of their grievances, and attaching to you by the closest ties those to whom you have already given so much of social and political power? There being, therefore, nothing in the way of political danger to be apprehended from this measure, I now proceed to the consideration of the other sort of danger—to the religious part of the question. Now, I apprehend that in order to justify their exclusion on religious grounds, you must be prepared to show some tangible, positive, and substantial mischief that would occur to the Christian religion from the admission of Jews into the Legislature. It is not mere vague and shadowy apprehensions of danger that will suffice to justify their exclusion. But what is it that is alleged? Does any one suggest that any substantial danger will arise to the Church of Christ and to the established religion from the admission of Jews into Parliament? In what shape or form will that danger come? Do you anticipate it from the legislative acts and conduct of such of the Jews as may gain admission into this House? What interest, I ask, can the Jew have in doing anything detrimental to the Christian religion, or the interests of the Christian Church? Do you suppose that it enters, however remotely, into his views or wishes, to convert you all to Judaism? It is contrary to the spirit of the Jewish religion to entertain any such design. The spirit of that religion is not of a proselytising kind. It is the peculiar character of the Jew that he is exclusive in his religion. He regards the religion of his fathers as the heritage of his people; and he is not desirous of admitting the stranger to share in the inheritance. He seeks not, therefore, to gain over to his belief those who do not belong to his race and people. Therefore you can have no apprehensions that the Jews will seek to injure your Church with a view to make proselytes and converts from its tenets; and if not, then what is it that your apprehensions are based upon? Besides, if there were grounds for apprehensions of that sort, is not the remedy in the hands of a Christian people? You are not called upon now — and this is a matter not to be lost sight of in the consideration of this question—you are not called upon to give the Jews an absolute and immediate right of admission into this House—you are not called on to give the Jews, as a body, the right of returning Members to represent the Jewish community in Parliament—All you are asked to do is to give to Christian constituencies the right of selecting Jews, if they prefer them, as their representatives. And I ask, have hon. Members so little confidence in the religious feeling and sentiments of the people of England as to believe that, if the constituencies found that the Jews whom they returned to Parliament were using the powers entrusted to them for the subversion of the Christian faith, they would be induced for any consideration, no matter what, to continue as their representatives persons who were labouring for the destruction of that religion? No attempt is made to point out any other way in which the admission of Jews to Parliament will work any mischief to the Christian religion. Do you apprehend that the presence of Jews in this House will diminish the Christian and religious feelings of the House? or, that if a Jew were to take his seat by the side of the hon. Member next to whom I have the honour to stand (Sir R. H. Inglis), the devotional feeling of the hon. Baronet would be in the slightest degree diminished? But you say that this is a Christian country, and that, therefore, this ought to be a Christian Parliament. There seems to me to be a fallacy in that argument. If, indeed, you say that this is substantially a Christian country, I admit the truth of the assertion; but if you say that it is exclusively a Christian country, and that, therefore, this ought to be exclusively a Christian Parliament, I deny your proposition. You have 40,000 Jewish fellow-subjects; and if you tolerate their presence in the country, I cannot understand why you should not tolerate the presence of a few of their number in Parliament. If you object to their presence in the Legislature, I think you should push the argument to a much further length, and hold that our ancestors in the days of the Henries and the Edwards were not wrong when they expelled the Jews from the country altogether, on

the ground that their presence was a pollution, as being the descendants of those who crucified the true God, and therefore unworthy to dwell in a Christian land. But it is said that the admission of Jews into this House would imperil the Christian feeling of the House. I am told that it would tend to lower the tone of our Christianity. But, I ask, have all the concessions already made to the Jews lowered the tone of the Christianity of this country? Do the people of this realm love Christianity less?—are their zeal and attachment to religion less strong because of these concessions? The Christian sits with the Jew on the magisterial bench—the Christian juryman sits side by side with the Jew in the jury-box, without any danger to his religious faith. I must say, with all deference and respect to hon. Gentlemen who brought forward this argument, that it conveys a most unfounded imputation on the Christian feeling of the people of this realm to say that the flame of Christianity would not burn so brightly if brought into contact with Judaism. Such an argument seems to imply that the Christian feeling of this country rests on a very slight foundation indeed. And yet this appears to be the only argument which I have yet heard as to any danger arising from the admission of Jews into this House. Something undoubtedly has been said as to the difficulty arising from our having to consult on matters connected with the Church of England, as also from the inability of Jews to be present at prayers in the House. But it should be recollected, that this argument applies also to Roman Catholics and Dissenters. We are no longer a House consisting of Members all entertaining the same religious opinions; and we cannot be so, because this country is composed of such an infinite variety of denominations and sects of Christians, that it would be impossible to maintain the exclusive Church character of Parliament without interfering with the rights and privileges of nearly one-half of our fellow-subjects. You were obliged to give that principle up, and having been forced to do so, and to admit so large a proportion of other denominations into your Legislature, it seems to me that you have no longer any defensible grounds for excluding the Jews. Whether, therefore, you look upon the question of their admission in a political or in a religious aspect, it seems to me impossible, as reasonable men, to apprehend any real danger from such a change. And now allow me to observe to the House, that fortunately this country is not called upon to make the experiment in the first instance. Other countries and other Christian Legislatures have made the experiment before you. I will say nothing about France, because I suppose I should be told that the French people are not eminently a religious people; but allow me to call attention to what has been done by a people quite as religious as yourselves—I mean the people of Holland. The Jews of Holland have been admitted to all the rights enjoyed by Christians in that country. They have been admitted to all the offices of the State; and it has been found that in every department of the State they are able to work in harmony with their Christian fellow-countrymen. I will also take Belgium, a Roman Catholic country, and one, too, where the priests have great influence and power. There, too, the Jews have been admitted to equal rights with other persuasions. So, again, in America, where, though there is no established church, it will not, I think, be denied that there exists a strong religious feeling among the people. On the other side you have Austria ever in the rear of improvement, and Russia with its hideous despotism. Shall England rank with the bigot and the barbarian, or, as it should do, among the enlightened nations of the world? Let me add, that in your own colonies the experiment has been tried, and has been attended with singular success. In Jamaica and Canada, Jews have been admitted to the local legislature, by Acts which have received the Royal assent; and in Canada they were found most useful assistants in suppressing the rebellion in that country a few years ago. There is not, then, either in point of theory, or principle, or practice, the slightest ground of legitimate apprehension to deter us from making this concession. And not only is there no reason to be urged against this measure, but, politically, there are the strongest grounds why we should, by an act of justice towards the Jews, and by removing their just complaints, make them as contented and attached a body of subjects as any in Her Majesty's dominions. I would now fain address myself for a moment to those hon. Members who oppose this Bill. I have not, I hope, addressed towards them a single term that savours of disrespect. I respect the religious feeling which prompts them to adopt the course they have taken on this question; but it is because I believe that by granting

this healing and conciliatory concession you will be taking the first great step towards bringing the Jew to a sense of the value and holiness of true religion, that I ask you to support the measure. You who believe the religion of God to be supported by evidence that must bring conviction to the mind of every man who sits down to investigate it—I ask you how it is that the Jew has been living among you for centuries, and that so little progress has been made to bring him to a sense of the truth and justice of your faith? It is because you have raised between him and Christianity an insurmountable barrier; because you have taught him to look upon the Christian as his bitterest and most implacable foe. Remove that barrier—treat him as a brother, and let him learn all that there is of mercy and charity in the faith of a Christian—bring him within the sphere of its holy and softening influence—and you will then have taken the first great step towards leading him to a sense of its truth, and you may thus hope one day to see him within the pale of that holy faith, for the maintenance of which you are so anxious, and to the extension of which you are so zealously devoted.

Mr. BANKES said, the hon. and learned Gentleman who had just sat down was disposed to attribute to those who agreed with him (Mr. Bankes) on this question a monopoly of the feeling of bigots and barbarians; and he was certainly a good deal surprised at the line of argument by which his hon. and learned Friend sought to establish his proposition. The hon. and learned Member had thought it necessary to occupy much of the time and attention of the House with that portion of his historic lore which could not by any possibility have any bearing upon the points at issue. But when he had taken so much pains to show that, up to a comparatively late period of our history, there was no legal provision to bar the Jew from entering the House of Legislature, it was a wonder that he did not also remember that, up to that late period, the Jews were non-naturalised subjects, and could not on that account have sat in that House. A considerable portion of the hon. and learned Gentleman's legal argument was, therefore, entirely beside the question. The hon. and learned Gentleman had asked where were the dangers of this measure? But before he proceeded to discuss those points, which had been touched far too little, notwithstanding the length of these debates, he would allude to another subject. The most powerful argument by far which had been advanced in favour of the Jews was that which asserted that exclusion was dishonour; but he emphatically denied that such was the case. The Jew was not excluded by statute; but there was another class which was, and that class consisted of the members of his own Church, and his own clergy. The clergy of the Church of England was excluded by name and by description by an Act of the Legislature. If exclusion were dishonour, then was the whole of the Church dishonoured, and those whom he greatly reverenced were the medium of that dishonour. Be it remembered, that the Act of exclusion did not only apply to beneficed clergymen, or to those who had the cure of souls, but the younger son bred to the Church, who succeeded to the influence and estates of his deceased brother, was excluded nevertheless, from the personal enjoyment of political rights, because he was enrolled in the ordination of the Church. The hon. and learned Member who had spoken last had argued that because the Jew had had granted to him political and magisterial power, he ought to be admitted to the exercise of legislative functions. The hon. and learned Gentleman had admitted that the speech of his hon. Friend the Member for Midhurst (Mr. Walpole), was unanswerable on this point, yet he had reiterated the argument to which the answer had been already given. The power of the Lord Mayor was an executive power, and obviously different to that by which the laws were made; and he (Mr. Bankes) knew of no reason which should operate to prevent a Jew from holding the executive office, so long as nothing could be urged against his morality of conduct. He found nothing, therefore, in such arguments to induce them to grant, much less to force them to proceed with, more concessions. And the arguments which had been raised for the grant of those concessions forced him to the conviction of the necessity for being watchful, since every fresh step led inevitably to the demand of something more. Those who assented to the concessions already granted, entertained, he believed, no idea they were bringing upon themselves the charge of inconsistency if they stopped short of the whole; or that they were bringing upon themselves the charge of bigotry and barbarism if they refused

to go any further. He stated that he would meet the charge of the hon. and learned Gentleman who spoke last, when he asked where was the danger to the Church in granting this further demand; and he had endeavoured to show that that danger was of a double nature: on the one hand, the evil consequences which might rise in their own Church; and, on the other, the obvious danger which must arise from placing in political power those who were the avowed enemies of the Church. The danger within the Church itself was of this nature. There had been circulated within the last few days a reprint of a very important speech, delivered some years ago by a right rev. Prelate, high in their own Church—no less a person than the Archbishop of Dublin. It was obvious that those who agreed with the hon. and learned Gentlemen opposite (Mr. Cockburn) considered it a valuable document, as they reprinted it, and circulated it generally at the present moment. The right rev. Prelate warmly supported, and he still supported, this proposition. Let them attend to the grounds upon which he gave it his powerful support. The right rev. Prelate said that he would say nothing on the subject of the political question, because he considered it most desirable that, in his position, he should, as far as possible, refrain from allusion to politics; but he said, with regard to the second branch of the question, which is of a religious nature, that it was urged that persons who not only did not acknowledge, but who openly denied, and some even who vilified, the great Author of the Christian religion, should not have a voice in the Legislature of a Christian country. "On this point," he said, "arose a question which I own I find it difficult to answer." Now, how did the right rev. Prelate answer it? Admitting that Jews ought not to have legislative powers with regard to matters regulating or affecting the Christian Protestant Church, he proceeded to say—

"With respect to strictly ecclesiastical affairs, to matters which do not relate to religion, I admit there is an inconvenience in admitting any person, Christian or not, to have a share in the government of a Church of which he is not a member; and I take this opportunity of declaring my opinion upon this point to be, that the purely ecclesiastical concerns of the Church, as distinguished from secular, ought to be entrusted to the care of some persons, whether called commissioners or by any other name, expressly appointed for the purpose, and who should be members of the Church?"

That Prelate proposed to withdraw from the consideration of the House of Commons, and of the other House of Parliament, every matter relating to the Church, as the necessary consequence of admitting Jews into the legislation of the country. Were they prepared for this? If not, how could they give their votes in favour of a proposition to which the great champion of their cause required as a preliminary step those provisions for the Church to which he had adverted. They were to have, according to the right rev. Prelate, a commission to conduct the affairs of the Church. He wondered it did not occur to the right rev. Prelate that such a proposition deposed James II., and that it was inserted in the Bill of Rights as one of the crimes brought against that monarch. They were told that the right rev. Prelate and other rev. Prelates taking the same view of the proposition would vote for the Bill; and if this report was true, he (Mr. Bankes) told the hon. and learned Member for Southampton that this new effort on the part of the Church would be part only of the mischief to arise from the carrying of such a measure. There would be schisms in their own Church more fatal than the admission of a few Jews into Parliament. He spoke not as a Tractarian or a Retractarian—upon these subjects he could give no opinion—but he did say that if they saw danger of increasing those difficulties which unhappily already existed, and of increasing those schisms, they ought to pause; for if upon that ground alone the measure was dangerous in the highest degree, he had now shown to his hon. and learned Friend some danger to which he had not adverted, but concerning which he feared he would hear much more than enough if this measure were allowed to pass. They had heard not a little of those schisms in consequence of the unhappy appointment lately made by the noble Lord at the head of the Government. The speech of the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone) incidentally touched upon this point—a point which he considered to be of so much importance that he did not think he would be discharging his duty if he did not bring it clearly before the House. His right hon. Friend the Member for the University of Oxford certainly did touch upon it, but so slightly and so delicately, that as the hon. Member for North Warwickshire (Mr. Spooner) said, there was a little difficulty in knowing exactly what he meant. In alluding to a petition he pre-

sented from an eminent dignitary of the Church, Archdeacon Wilberforce, who took the same ground as the Archbishop of Dublin, the right hon. and learned Gentleman thus treated the subject. He said—

"It will have appeared from all I have said that I do not take the same view of the character and effects of this measure as Archdeacon Wilberforce."

Archdeacon Wilberforce took the same view as the Archbishop of Dublin, to the effect that, if the Bill passed, there should be a separate power or commission to deal, not only with the administrative, but with the legislative powers relating to ecclesiastical matters. "But," said the right hon. Gentleman the Member for the University of Oxford—

"I don't go the length of Archdeacon Wilberforce; but I perceive the difficulty, and though reluctant to meet it in such a mode as he suggests, yet I refer to his petition as illustrating a statement lately spread, and which may spread yet more widely. For myself, I cannot hesitate to say, from the general course of events and the changes now produced in the constitution of the Legislature, that a very great increase of delicacy applies to the Established Church."

These were such ambiguous phrases, that he hoped the right hon. Gentleman would explain that delicate speech which no one could understand. He hoped he would explain the "delicacy." The "danger" they all understood; and he asked whether a time of danger and of delicacy was the time for introducing enemies—avowed enemies—to the Established Church into the Legislature? It appeared to him strange that because they had admitted avowed enemies to the Established Church—Roman Catholics, and those who by various titles differed from its fundamental principles—that it was of little consequence whether they admitted them all or not. It was perfectly true that a portion of the Established Church was at the present moment represented, and perhaps correctly, by the vote of the right hon. Gentleman the Member for the University of Oxford. He presumed this was the case; for if his vote did not carry with it the feelings of a portion of his constituency, he was sure the sense of honour inherent in the right hon. Gentleman would not permit him to continue to represent them. The right hon. Gentleman said there was "a delicacy" in the question, though he admitted the majority of his constituents were at variance with him upon it. There was another right hon. authority in that House who had given a different opinion on this subject from that which he had lately recorded by a silent vote—he alluded to the right hon. Gentleman the Member for Tamworth—and no one could doubt but that he would give strong arguments for the change which had come over him. He could only say that reading, as he had lately read, the speech which the right hon. Gentleman made in the year 1830, on the same subject, he believed that no one but himself could answer it. That speech contained clear and substantial arguments—sufficient arguments as he (Mr. Bankes) thought of danger and of difficulty—arguments going to the extent (and to an extent to which he was sure the right hon. Baronet would not shrink from carrying them now) that if this concession were admitted, no further test should be retained on the Statute-book—that this was the last and the whole of the question—and that if the Jews were admitted no man ought to be excluded. He had hitherto believed that it was not safe to adopt that proposition. Yet this was a proposition which the right hon. Gentleman the Member for the University of Oxford urged upon the House, but not with very happy success. He (Mr. Bankes) considered the Established Church part of the establishment of the State as much as the Throne and Crown themselves. He maintained that they had a right to apply the test to those who attacked the portion of the State which was the Church, as much as to those who might attack the Throne or the Crown. They excluded the republican by the oath of allegiance; and the man, who, from conscientious feelings, disliked a monarchy, ought not to be allowed to sit in the House more than the man who desired to supplant the Church. It was with these views, and with these feelings, and with the conviction that his sentiments on this subject were justly confirmed by the recent arguments he had heard, that he viewed the Bill with the most serious apprehension, and should feel it his duty to oppose its passing into law; and if it should meet with the sanction of that House, he hoped it would not pass the other House of Parliament.

SIR R. PEEL:* Mr. Speaker, it was with great reluctance that I gave a silent vote on the first occasion on which this matter was brought under our consideration; but the peculiar circumstances under which the debate closed, so immediately before the Christmas recess, and my unwillingness to

* From a pamphlet published by Murray.

incur the risk of preventing, by an adjournment, a decision on the question, induced me on that occasion to be silent. I now wish to state the grounds on which I have come to a conclusion which is at variance certainly with first impressions, and which places me in painful collision with many with whom I have almost invariably acted —with some from whom I never, to the best of my recollection, on any former subject of equal importance, have had the pain to differ.

I must in the first place disclaim altogether any concurrence in the doctrine that to us, in our legislative capacity, religion is a matter of indifference. I am deeply impressed with the conviction that it is our paramount duty to promote the interests of religion, and its influence on the human mind. I am impressed by a conviction that the spirit and precepts of Christianity ought to influence our deliberations; nay, more, that if our legislation be at variance with the precepts and spirit of Christianity, we cannot expect the blessing of God upon them. I may, indeed, say with truth, that whether my decision on this question be right or wrong, it is influenced much less by considerations of political expediency, than by a deep sense of religious obligation.

Between the tenets of the Jew and of the Christian, there is, in my opinion, a vital difference. The religion of the Christian and the religion of the Jew are opposed in essentials. Between them there is complete antagonism. I do not consider that the concurrence of the Jew with the Christian in recognising the historical truths and divine origin of the moral precepts of the Old Testament, can avail to reconcile their difference in respect to those doctrines which constitute the vital principle and foundation of Christianity. If, as a Legislature, we had authority to determine religious error, and a commission to punish religious error, it might be our painful duty to punish the Jews. But we have no such commission. If the Jews did commit an inexpiable crime nearly two thousand years ago, we have had no authority given to us—even if we could determine who were the descendants of the persons guilty of that crime—to visit the sins of the fathers upon the children not unto the third or fourth, but unto the three hundredth or four hundredth generation. That awful power is not ours. "Vengeance is mine; I will repay, saith the Lord."

I cannot, therefore, admit the right of the Legislature to inflict a penalty for mere religious error. I consider a civil disability to partake of the nature of a penalty. I speak of religious error simply and abstractedly. If you can certainly infer from that religious error dangerous political opinions, and if you have no other mode of guarding against those political opinions except by the administration of a test for the purpose of ascertaining the religious opinions, in that case you may have a right to impose the penalty of exclusion from certain trusts. In the case of the Roman Catholic you did not exclude him because he maintained the worship of the Virgin Mary, or the doctrine of transubstantiation; but because you thought he was a dangerous subject in consequence of his acknowledging the supremacy of a foreign Power, and his allegiance to another Sovereign. You excluded him from political power because you believed he would abuse it. You did not inflict civil disability for mere religious error. If you can show, in this case, that the maintenance of certain religious opinions by the Jews is a decisive proof of their civil unworthiness, you may have a right to exclude them from power; but the *onus* of showing this is imposed upon you. The presumption is in their favour. The presumption is, that a Jew, as a subject of the British Crown, is entitled to all the qualifications and privileges of a British subject. You may defeat that claim by proof of danger to the State, from admitting it; but the *onus* of proof lies upon you.

The claim of the Jews, as British-born subject, is for entire and complete qualification for office. You do not diminish the force of that claim by their partial qualification. You allow the Jew to fill municipal offices—you concede to him the elective franchise; but the obligation to assign a reason for withholding from him what remains is precisely the same. Nay, after you admit his qualification for the privileges and franchises which you have entrusted to him, it becomes the more incumbent upon you to assign a reason for withholding complete qualification.

A noble Lord who has spoken with so much good feeling upon this question—the Member for Bath—quoted an authority entitled to much weight, a distinguished man, now no more. I wish to speak of the late Dr. Arnold with the utmost respect. The noble Lord read an extract from the works of Dr. Arnold, which appeared to make a

considerable impression upon the House—a passage in which Dr. Arnold says—

"For the Jews, I see no plea of justice whatever; they are voluntary strangers here, and have no claim to become citizens but by conforming to our moral law, which is the Gospel."

We are to reject the claim of the Jews now living—born in this country, and owing entire allegiance to the British Crown—to the privileges of British subjects, because their ancestors were voluntary strangers here. The decendants of an ancient Briton, of the pure blood, may be entitled to urge this objection to a Jew; but the descendant of a Norman, or a Roman, or a Saxon, or a Dane, can hardly insist upon it. His ancestors, I apprehend, were not invited here; they were "voluntary strangers;" with this difference between them and the Jews, that the Jews were content to submit to the laws and institutions which they found established, and that the others subverted them.

Dr. Arnold proceeds—

"I would give the Jews the honorary citizenship which was so often given by the Romans, namely, the private rights of citizens, *jus commercii et jus connubii*, but not the public rights, *jus suffragii et jus honorum*."

I contend that the British law recognises no such distinction; that, after conferring upon the Jew the *jus commercii* and the *jus connubii*, the *onus* of assigning satisfactory reasons for withholding from the Jew the remaining rights of citizenship continues undiminished. Unless you can show that there is something politically hostile in the character and conduct of the Jew in relation to the State—that in times of civil discord and discontent there is reason to apprehend his disaffection—or that, for some good cause or other, he is unworthy of confidence, you cannot defeat his equitable claim to the entire and complete rights of citizenship.

To the opinion of Dr. Arnold I oppose the opinion of a still higher authority, that of Lord Bacon. In his argument upon the rights of the *post nati* of Scotland, Lord Bacon has the following remarkable observations:—

"It seemeth admirable unto me to consider with what a measured hand, and with how true proportions, our law doth impart and confer the several degrees of the benefits of naturalisation. The first degree is an alien enemy. The second is an alien friend. The third is a denizen. To this person the law giveth an ability and capacity abridged, not in matter but in time. The fourth and last degree is a natural-born subject—'he is complete and entire.' Other laws do admit more curious distinctions of this privilege, for the Romans had besides *jus civitatis*, which answereth to naturalisation, *jus suffragii*. For though a man were naturalised to take lands and inheritance, yet he was not enabled to have a voice in passing of laws, or at election of officers. And yet farther, they had *jus petitionis*, or *jus honorum*. For though a man had voice, yet he was not capable of honour or office. But these be devices commonly of popular or free estates which are jealous whom they take into their number, and are unfit for monarchies; but by the law of England the subject that is natural-born hath a capacity or ability to all benefits whatever."

The Jew is a subject natural-born; and I contend that he has a right, as such, to be qualified for all civil trusts—that he has "a capacity or ability to all benefits whatever," unless you show a reason to the contrary—a reason not founded upon mere religious error, but upon some good cause for political disqualification.

In the course of this debate the exclusion of the Jews has been justified by reference to other disqualifications to which all subjects of the Queen are liable. It is contended that it is no hardship to exclude the Jews, because copyholders are excluded from rights which freeholders possess, and minors from the exercise of powers which a man of full age enjoys. An hon. and learned Gentleman, who bears a name which must be honoured in this House, the lustre of which he is, I trust, destined to renew (Mr. Walpole), contended that there is a distinction between the elective franchise and the functions of legislation, and cited, as a proof of such distinction, the case of the clergy, who are qualified to vote for Members of Parliament, but not to sit in Parliament. Surely these are ingenious fallacies, employed for the purpose of concealing from ourselves the real character of a harsh exclusion. How does the elective franchise differ in principle from the right of legislation? There is no such franchise given by the common law; the elective franchise is a creature of the Legislature. You withhold from the 9*l.* householder a right which you give to the 10*l.* householder. With respect to the exclusion of the clergy from this branch of the Legislature, and with respect to the exclusion of minors and those who have not sufficient property, these exclusions differ altogether in their principle from the disqualification you impose upon the Jews. In the first place, the Jew is equally subject with those who profess Christianity to all these exclusions, of minors, of copyholders, and 9*l.* householders. To all these disqualifications he is equally subject with ourselves; but you superadd another disqualification to which he is specially liable.

Of the exclusions to which you refer, some are voluntary, others temporary in their duration. A clergyman, when he enters upon the sacred office, knows that he will be excluded from this House. A minor, if he live until he attains his majority, will acquire his full rights. But the disqualification of the Jew is of a different character—it is a disqualification on account of his opinions—it is not temporary or voluntary—it is a superadded disqualification, and it differs in its character from the disqualifications to which other classes are subject.

Now, has there been assigned any valid cause for this disqualification, derived from the political conduct and character of the Jew? On the contrary, admissions in his favour have been made, which render the hardship of excluding the Jews still more grievous. We are told by the opponents of the Jews, that in point of moral conduct, in point of active exercise of charity, in point of tried loyalty, and in point of property, the Jews are entitled to as much consideration as any other class of the Queen's subjects. If in all these respects they are equally worthy, why subject them to exclusions which imply the want of civil worth? If the claim of the Jew to the full privileges of a natural-born subject of the Queen can only be defeated by proof of his misconduct, or of justifiable suspicion, there is an end of the question. His claim is not even contested on that ground.

But there are two reasons—for I will class all the other arguments urged against the admission of the Jews under two heads for the purpose of brevity—which have been advanced in support of their exclusion, the force of which, if well founded in fact, I should be the last person to deny. One of these reasons is, that you have for the last three hundred years deemed a recognition of the Christian faith a necessary qualification of a legislator; the other, that if you now abandon that qualification, and permit it to be struck out of the Statute-book, where it has so long remained, this conduct on your part will imply an indifference to religion, and that such indifference is likely to relax the energies and paralyse the exertions of many devout Christians who, in this and in other countries, are using their utmost endeavours to propagate the Christian faith. Now, I wish to weigh fairly the force of these two objections. I do not undervalue the objection that you are about to remove from the Statute-book the words "on the true faith of a Christian." I fear that you will give offence to many sincere Christians by removing those words; but, on a deep consideration of this subject, I am convinced that the popular impression with respect to these words, and the circumstances under which they were inserted, is erroneous, and that it would not be just to subject the Jew to continued disqualification on account of erroneous, though most sincere and conscientious impressions in respect to the intent and effect of the words which it is proposed to omit.

It was said, and truly said, by the hon. and learned Member for Southampton, that up to the reign of Queen Elizabeth there was no oath required from Members of Parliament. The principle of the British constitution before the 1st of Elizabeth was, that the will of the electing body should determine the right to sit in Parliament; and no oath was required from Members of Parliament before the fifth year of the reign of Elizabeth, when the oath of supremacy was administered—an oath which, if not administered on this book [*here the right hon. Baronet placed his hand upon a New Testament*], the Jew would have been perfectly willing to take. The oath, it is true, was administered in a form in which it could only be taken by a sincere Christian. But in the first year of the reign of Queen Elizabeth, the law presumed every one to be not merely a Christian, but a member of the Established Church; for it required every subject of the Queen to attend divine service in the Church once at least on every Sunday, on the penalty of twelve pence. The object of the oath of supremacy was to assure the Queen of the full allegiance of her subjects, and to exclude from office and from Parliament all those who acknowledged the temporal or ecclesiastical authority of a foreign Potentate within these realms. The substance of the oath was directed, not against Jews, but against Christians. It was the form of the oath alone which affected the Jew.

From the 5th of Elizabeth to the 7th of James I., no other oath than the oath of supremacy was required from Members of Parliament. In the 7th of James I., the year 1605, a new and additional oath was administered; that oath which contains the words "on the true faith of a Christian." The reason for this new oath is fully stated in the preamble to the Act which imposed it. There is an express re-

ference "to the barbarous and horrible attempt to have blown up with gunpowder, the King, Queen, Prince, Lords and Commons in this House of Parliament assembled." This oath continued in force until tho Revolution of 1688. Now, if the words "on the true faith of a Christian" had been considered important as guaranteeing the Christian character of the Legislature, is it not remarkable that in the first year of the reign of William and Mary they should have been altogether dispensed with? The oath which contained them, and with the oath the words themselves, were by express enactment "repealed, utterly abrogated, and made void;" and for that oath this simple form was substituted:—"I do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty. So help me God."

From the year 1688 to the year 1701, the simple oath of allegiance was the only one required. There was no profession of the "true faith of a Christian" by Members of either House of Parliament. In 1701, the Pretender assumed the title of James III. That title was acknowledged by Louis XIV., and it was thought necessary, for the protection of the new dynasty, to impose an oath of abjuration. The form of the oath imposed by James I., which included the words "on the true faith of a Christian," was adopted, and has since remained in force. But it was neither originally imposed, nor subsequently revived, for the purpose of assuring the Christian character of the Legislature. You now plead against the admission of the Jew the policy of maintaining that Christian character. You argue, "We have ceased, it is true, to be a Church of England Parliament, we have have ceased to be a Protestant Parliament, but we have tests in force which ensure our unity as a Christian Parliament." May not the Jew reply, that those tests were never designed for that purpose; that they were not directed against him; that they were directed, for purely political purposes, by one body of Christians against another, whose loyalty and fidelity were denied. These tests that are now to be retained as the guarantees for Christian unity, are the historical evidences of former divisions and fierce conflicts between Christians themselves.

The Member for Midhurst quotes the writ of summons for the convocation of Parliament, and contends that the Jew is inadmissible to the Legislature because Parliament is convened to deliberate not only on matters of State, but especially "*de quibusdam rebus Ecclesiam Anglicanam concernentibus.*" What is the answer of the Jew to this objection? "Am I less qualified than the Quaker to legislate on questions of public policy, or on matters concerning the Church? I have no scruples as to the lawfulness of war. I do not deny the right to tithes: I do not refuse their payment, except on compulsion. I have no rival religious establishment, as the Roman Catholic has. You make no objection to the Unitarian, who rejects one of the fundamental doctrines of the Christian faith, and yet you plead the Christian character of the Legislature as the impediment to my admission."

Still, it is contended that we have at least this satisfaction, that no Member can be admitted to sit in the House of Commons without professing his belief in Christianity; that a declaration "on the true faith of a Christian" is an indispensable condition of his admission. But this is not true. I hold in my hand the declaration made by a Quaker at the table of this House, and from that declaration the words "on the true faith of a Christian" are omitted. You will constitute no new precedent, therefore, by omitting these words in the case of the Jew. Require from the Jew the same identical declaration which you require from the Quaker, and permit the Jew to swear in the very same form in which you permit him, nay, compel him to swear in a court of law, and he will be perfectly satisfied. Can there be a stronger proof that you did not consider the words "on the true faith of a Christian" an essential qualification for the Legislature, than that in framing a declaration to be made by the Quaker, on his admission to this House, you deliberately omitted them. You have done the same in the case of the Moravian and the Separatist. There is, therefore, an end of the argument, that the omission of the same words in favour of the Jew would be an act without an example, derogatory to the Christian character of Parliament.

The hon. Member for Dorsetshire has referred to a speech on this subject delivered by me in the year 1830, with an expression of surprise that I can now content to the removal of Jewish disabilities. Since the year 1830, circumstances have occurred having an important bearing on

this question, and making in the position of it a material change. You have in the interval admitted to the Legislature classes of religionists, who in the year 1830 were excluded in common with the Jew; you have admitted the Quakers, the Moravians, and the Separatists. In respect to office—to civil, political, and municipal office, the present position of the Jew is entirely different from his position in 1830; and even now, and after the progress made in this debate, I doubt whether that position is clearly understood.

It is well known that the Jews have been selected by the Crown for civil distinctions; that under the late Government the Baronetcy was conferred by the Queen upon Sir Moses Montefiore; under the present upon Mr. Rothschild. It is also well known that the Jews are, by a recent Act of Parliament (passed in 1845), qualified for all municipal offices. But it is not generally known that all civil and military appointments, with very few exceptions, are tenable by a Jew.

I believe that at this moment the Jew is eligible to any executive office to which the Crown may appoint him, no matter how important may be the duties attached to that office, unless in the case of offices which must be held by Privy Councillors, he be precluded by the oath which is administered to a Privy Councillor. I apprehend that there is nothing which can prevent a Jew from being Secretary of State to-morrow, except through the indirect operation of the oath required of a Privy Councillor, and that there is nothing in the substance or terms of that oath to which a Jew would object. If you will permit the Jew to take the Privy Councillor's oath on the Old Testament, the oath of the Privy Councillor will not exclude him from the Privy Council. It is my conviction, therefore, that except through the indirect operation of that oath, there is not an office within the gift of the Crown from which a Jew, practically, is excluded. Let me shortly revert to the Act of 1828. A certain declaration, containing the words "on the true faith of a Christian," was by that Act substituted for the decararation against transubstantiation; and, observe, these words, "on the true faith of a Christian," were not inserted in the declaration required by the Bill, as it was sent up to the Lords by the House of Commons. The Bill, when it left the Lower House, did not contain these words; the Commons were content to admit dissenters from the Church to all executive and municipal offices without requiring that declaration of Christian faith. The words were inserted in the House of Lords, and, rather than lose the Bill, the Amendment was acceded to by the Commons. A marked distinction was made in the Act of 1828 as to the period when the declaration was required; in the case of executive office, a certain time (six months after admission to office) was given; in the case of municipal office, the declaration was required to be made previously to or upon admission to office. In the year 1831, a material change took place in the enactments of the Annual Indemnity Act. The declaration required by the Act of 1828 was then placed on the same footing as all other tests. The consequence is, that during the whole of the last two reigns—the reign of King William and the reign of Queen Victoria—all parties appointed to executive office have been given, under the Annual Indemnity Act, the whole year to qualify. Before the year expires another Indemnity Act passes; and the fact therefore is, that at this moment, except through the indirect operation of the Privy Councillor's oath, there is not an office under the Crown which a Jew may not hold, and be protected in holding.

Having acceded to those important changes in the position of the Jew, and having admitted all other Dissenters to legislative functions, can we permanently maintain the exclusion of the Jew from Parliament? He is possessed of the elective franchise. He is eligible to and has entered upon municipal office. He may be Lord Mayor of London. He is shut out from no office under the Crown excepting that of Privy Councillor. The Crown has been enabled for the last seventeen years to appoint the Jew to high political office; but there is a certain trust which can only be exercised through the good will of electors, the great majority of whom must probably be professing Christians, and yet from that trust the Jew is to remain excluded. There is no jealousy of the Crown in respect to the appointment of Jews to the most important civil offices, but such jealousy of the Christian electors of this country, that you will not permit them to send the man of their choice to this House, if he happen to be a Jew.

Sir, my opinion is, that you cannot permanently maintain that exclusion, and if you cannot, why not remove it now? You

have removed other disabilities with little danger to the interests of the Church, or to the interests of the Christian religion. My firm belief is—and I rejoice in the conviction—that the Church of England is stronger at this moment than at any period of her history. The disposition of the Church to admit timely and salutary reforms has been one great cause of that strength. A still more efficient cause is the deep religious feeling which has been awakened through the country. The strength of the Church and of religion is not now dependent on the question of two or three votes, more or less, in this House. The Church is strong enough to be independent on all essential points of the decisions of this House. It is rooted in the affections of the people, and it is a disparagement to religion and to the Church to contend that the safety of either depends upon the continued exclusion from this assembly of the Baron de Rothschild, or three or four gentlemen of the Jewish faith. Were it not for internal dissensions within the Church itself, the Church would be stronger at this moment, after the successive relaxation of disabling laws, than it was, even at the period when you required conformity to the faith of the Church as an essential qualification for Parliament.

I cannot then assign danger to the Church as a reason for excluding the Jew. At the same time I deeply regret that the feelings of zealous and pious Christians should be wounded by the omission from an oath of the words "on the true faith of a Christian." Believing, however, the impression with regard both to the original intent and the effect of those words to be erroneous; seeing that it is an error to suppose they have formed a part of the qualification for Parliament for an uninterrupted period since their first introduction, in the reign of James I., inasmuch as they were "utterly abrogated, repealed, and done away" at the time of the Revolution, and were only revived thirteen years afterwards for a purely political purpose—seeing that it is an error to suppose that they are now required for every Member of the Legislature, inasmuch as they are waived in the case of the Quaker, the Moravian, and the Separatist—I cannot think it just to continue the exclusion of the Jew from deference to conscientious but erroneous impressions.

I own, Sir, that I do cordially rejoice that I can find no constitutional impediment to the complete admission of the Jew to the right of a British subject. If there be a class of our fellow-beings to whom reparation is due from every Christian State in Europe—reparation for centuries of calumny, persecution, and wrong—the Jews are that class. I defy you to read the early history of this country, narrated, not by indignant Jews, but by the popular historians of your own faith, without shuddering at the atrocities committed by Christian sovereigns and a Christian people. Hume says, "Our ideas scarcely come up to the extortions which we find to have been practised upon the Jews." Speaking of King Henry III., and detailing his unjust demands for money, and his threats to hang the Jews if they refused compliance, he says, "The King then delivered over the Jews to the Earl of Cornwall, that those whom one brother had flayed, the other might embowel." He remarks that "the acts of violence against the Jews proceeded much from bigotry, but more from avidity and rapine."

Even in that age these things would not have been done or tolerated, but for deep-rooted prejudices and wide-spread antipathy to the Jews, on account of their religious faith. Are we quite sure that the same prejudices—the same antipathy—do not still exist? We disclaim them within these walls; but are they not the real cause of much of the opposition to the relief of the Jew from civil disabilities? Of this I am confident, that within the present century both the people and the Government of this country have been influenced by such unworthy feelings. It was the deference to irrational prejudice that induced the Ministry in 1753 to propose the repeal of the Act for the naturalisation of foreign Jews, passed in the preceding year. The most disgraceful day in the annals of the British Parliament was that on which the Duke of Newcastle, the First Minister of the Crown, proposed the repeal of that Act. A general election was impending—great excitement prevailed—excitement of such a nature, that the Member for Exeter, who had voted in favour of the Jews, was denounced as a Jew, and was compelled to appease his constituents by citing, in proof of his Christianity, the fact that he had repeatedly travelled on a Saturday, the Jewish Sabbath.

The Lord Chancellor (Lord Hardwicke), in his place in the House of Lords, condescended to vindicate the Government for proposing the repeal of the Naturalisation

Act by such arguments as these. Speaking of the Jews, and the popular feelings towards them, Lord Hardwicke observed—

"By our laws they may be protected from any open violence or direct assault; but whilst the people are so highly and so generally exasperated against them as they everywhere appear to be at present, they will be exposed to daily insults and vexations which no law can provide against or punish, especially in this country, where no man, not even the King himself, is vested with absolute power, and where every magistrate is obliged to confine himself within the letter of the law. Therefore, whilst the people continue in their present humour, it will be impossible for any Jew, rich or poor, to live here with the same ease and security which he did before that law was passed."

Again:—

"I am convinced that the ill-humour of the people would before now have broken out, if it had not been for the hope that, as soon as Parliament met, the law would be repealed; and if they were to see two or three dozens of their countrymen hanged every session for mobbing or murdering the Jews, I believe it would not contribute towards restoring them to good humour, especially as many of them would find, at least imagine, that the Jews interfered with them in their trade or business."

For such reasons as these, in avowed obedience to the most irrational and vulgar prejudices, a slight privilege conceded to the Jews in 1752 was suddenly withdrawn in 1753, by the same Ministers and the same Parliament by which it had been granted.

I have cited the authority of Hume for the cruelties practised in England upon the Jews during the reigns of King John and his successor. Let me read an extract from another historian, Sharon Turner, containing a brief summary of the persecutions to which this unhappy people were subject in this country and other parts of Europe:—

"When we recollect their massacre along the Rhine in 1096, and in England in the time of Richard I., and read of their repeated destructions in Germany; in 1221 at Erfurt; in 1263 at Fulda, when on an accusation of their killing Christian boys for their blood, the Emperor ordered an inquiry whether Christian blood was a necessary part of their Passover, to which the official answer was, that nothing certain was known on the subject. In 1240 at Frankfort, 'with fire and sword;' in 1282 at Mentz and other places; in 1298 at Nuremburgh and through all Franconia; that they were also exterminated from Bavaria; that in 1348, 1349, and 1350, they were killed 'like cattle,' and mercilessly burned in great numbers at Basle, Friburg, Spires, Wurms, Frankfort, Mentz, Alsace, Cologne, and in every part of Germany; when we recall to mind that these are only specimens of what they endured in other places, and were for several centuries in perpetual danger of everywhere suffering, we can hardly persuade ourselves that any remnant of the nation so bitterly persecuted can now be surviving."

They have survived, having borne their wrongs with exemplary patience and resignation. Suppose the result of these bitter persecutions had been to make the Jews a degraded race—suppose "the iron had entered into their souls;" suppose they had been so bowed down, as to have become—

"Curvæ in terris animæ ac cœlestium inanes"—

who would be responsible for their degradation?

If the Jews were debased or inferior in moral worth to Christians, could that debasement and inferiority—the natural result of oppression—be now assigned with any semblance of justice, as an impediment to the grant of equal rights to the Jews? Could the Christian rulers of Europe justly reproach the Jews for continuing a separate people, and for being deficient in ardent patriotism and devoted attachment to the institutions under which such wrongs had been inflicted? Could they be astonished, if, vexed by repeated persecutions, the Jews permitted the past, the distant, and the future, to predominate over the present?—if, sitting down by the waters of strange lands, they wept, when they remembered Sion?

But, according to your own acknowledgment, the Jews have not been debased. In point of courage, of moral worth, of intellectual power, of mental acquirements, they yield precedence to none. They have been faithful subjects of the Crown: in the times of severe trial, at home or abroad, their loyalty has never wavered. On what ground, then, do you justify their exclusion from any privilege of a Protestant subject? Are they not so far entitled to our confidence, that they may be qualified for a trust, which they cannot exercise except through the good will of Christian constituencies?

It may be that considerations of the past—that the desire to make reparation for former wrongs—ought not to control or influence our judgment; but they may so far operate as to inculcate the duty of mature reflection, whether we cannot reconcile our feelings with our duty, and to increase our satisfaction, if we find that they are not incompatible.

I have other motives that weigh with me. There are countries in which the Jews

are still subject to persecution and cruel oppression. Twice within the last three or four years has a British subject, distinguished for his benevolence and philanthropy, Sir Moses Montefiore, repaired to distant lands, in the hope of mitigating the hard lot of the suffering Jews. He repaired to St. Petersburg for the purpose of imploring mercy towards the Jews in Poland. He repaired to the East for the purpose of relieving, if possible, the Jews in Palestine, from shameful wrongs, perpetrated on the pretext that they murdered Christian children in order that their blood might be available for the Passover.

He carried with him letters of recommendation from British Ministers, certifying his high character for integrity and honour, and the purity of the motives by which he was actuated. How much more persuasive would those letters have been if they could have announced the fact, that every ancient prejudice against the Jews had been extinguished here, and that the Jew was on a perfect equality, as to civil rights, with his Christian fellow-citizen. Place him on that footing of perfect equality, and the influence of your benevolent legislation will extend far beyond the narrow limits of your own country. You will exercise an authority and jurisdiction, even in foreign countries, which laws, however jealous of external interference, cannot exclude—the moral authority of a just and benevolent example. You will offer consolation to many a wounded spirit, and weaken the force of the prejudices and antipathies which harden the heart against the impulses of humanity; at any rate you will make it impossible to justify those prejudices by the example of England.

It remains for me only to refer to the argument against the removal of Jewish disabilities which was chiefly relied on by my right hon. Friend (Mr. Goulburn), and urged by him with great force and effect.

My right hon. Friend says, that there are many zealous Christians who, from the deepest conviction and the purest motives, devote their lives to the propagation of divine truth, and the reclamation of the ignorant and the guilty from sin and error. He says justly, that we possess an extended empire, bringing us into contact with gross ignorance and superstition—which pious missionaries are labouring to extirpate. He fears that their zeal will be relaxed, and their exertions paralysed, if the Legislature should manifest that indifference towards divine truth which might be implied by the admission of the Jew to the Legislature, and by thus relinquishing the distinguishing character of a Christian Parliament. I concur with my right hon. Friend, that vast dominion imposes upon us the gravest responsibility. That dominion may be destined by Providence to advance much higher purposes than the aggrandisement of empire, or the extension of commerce. Empire and commerce may be the means towards a great end; they may be the avenues through which the light of knowledge is to penetrate the cloud of error, through which "the day-spring from on high is to visit those that sit in darkness, and in the shadow of death." I agree with him, that if by assenting to this measure, indifference towards divine truth could be justly imputed to us—if the suspicion of it should relax the zeal or defeat the exertions of devout and pious men labouring in the cause of true religion, such a result would be a lamentable one, with evil consequences far outweighing any which could arise from the continued disabilities of the Jews.

My right hon. Friend contends that even if the zeal of the pious missionary should not be damped by our misconduct—if he should still continue to enforce the truths of Christianity, yet if it came to the knowledge of those to whom these truths were addressed, that at home the distinctions between Christians and Jews had been abolished, by admitting the Jews to legislative functions, the millions of heathens whom Providence has placed under our rule would be shocked by our inconsistency, and would be unwilling to assent to doctrines which we ourselves appeared to repudiate.

I cannot concur in the apprehensions of my right hon. Friend. Let me take the natives of some distant country, utterly ignorant of the truths of the Gospel, but not insensible to the force of reason. If you could tell them that your policy towards the Jew was that of the reign of Richard I. or of the Spanish Inquisition—that you so abominated the crime which his ancestors had committed, and so detested his unbelief, that you would hold no communion with him—that by your laws he was subject to banishment and torture, the heathen might think you deficient in charity, but give you credit for your devotion to the true faith. But if you told the

heathen, as you must tell him, that your relation to the Jew was not very well defined—that you lived on friendly terms with the Jew—that you imposed on him all the burdens to which a British subject was liable—that you freely borrowed his money—that the Jew might dispense justice as a magistrate—that he might be Lord Mayor of the city of London—that he was qualified for almost all civil offices—that he might elect Members of Parliament, but that from zeal for the Christian faith you could not allow the Jew to be a Member himself—surely this appeal, however consistent with the truth, would not make a powerful impression on his mind.

Try the force of another appeal. Tell the heathen of the wrongs which Christian States have inflicted on the Jews: tell him that we live under a constitution which knows no distinctions among British subjects as to civil rights—that we profess a religion which commands us to be forbearing and forgiving towards one another—that we serve a God whose almighty power is most chiefly declared by showing mercy and pity—that we worship a Redeemer who inculcated by his life, and sanctified by his death, the precepts of Christian charity: tell him, that in humble obedience to these precepts, we have given to the Jews the same benefits and privileges we possess ourselves—try the force of that appeal, and it will not be made in vain.

It is for these reasons—because I believe it to be in conformity with the enlarged and comprehensive spirit of the British constitution that these qualifications should no longer exist—because I rejoice in the opportunity of making reparation for the injuries and persecutions of former times—because I think the Jew has fairly earned the privileges which it is proposed to extend to him, by patience and forbearance—by tried fidelity and loyalty—but, above all, because I am one of a Christian people, because I am a Member of a Christian Legislature, I will perform an act which I believe to be in strict conformity with the spirit and precepts of the Christian religion. We are commanded by that religion, as the condition of our own forgiveness, to forgive those who have trespassed against us. That duty is not in this case imposed upon us; but there is another duty, as sacred in point of moral obligation, and more trying to human pride, namely, that we should forgive those against whom we have trespassed. Sir, I shall give my cordial support to the Bill before the House.

Lord D. STUART called the attention of the House to a statement made by the hon. Member for Warwickshire (Mr. Newdegate), that Baron Lionel de Rothschild had paid money for the purpose of obtaining signatures to petitions for the removal of the Jewish disabilities. He gave the most positive denial to the statement, which he had no doubt the hon. Gentleman had made, believing it to be well founded; but the hon. Gentleman belonged to a school whose prejudices rendered them peculiarly liable to be misled. Though the signatures to petitions presented before the recess against the Bill amounted to 13,000, while those in favour of it amounted to 6,000 or 7,000, the signatures presented to petitions in favour of the Bill were estimated at 232,000 since the recess, while those against were only 35,000. The right hon. Gentleman (Sir R. Peel) had said with great truth that the Jews in Poland were oppressed. The Bill should receive his support, because it afforded the best means of dispelling error and diffusing truth.

Mr. NEWDEGATE had been accused of stating what was not the fact. He had received two petitions to this House in favour of the Bill. They were brought to him by the agent of the committee for supporting Mr. Rothschild's return. They were directed to him (Mr. Newdegate) at Mr. Rothschild's committee-room, and were brought to his own. The circumstance appeared singular. It prompted him to inquire whether any organisation existed for procuring signatures. His former statement was substantially correct, though it might not be so in the terms reported. His statement was, that persons were employed to procure signatures in favour of the Bill for the removal of the Jewish disabilities on the part of Baron Lionel de Rothschild and his committee; and that the first contract was for 1*s.* 6*d.* a hundred; that the next, he believed, was 3*s.*; and here he had made a mistake, for the sliding-scale, it appeared, terminated at 3*s.*, and was converted into a fixed duty of 5*s.* a day.

The House divided on the question that the words proposed to be left out stand part of the question:—Ayes 277; Noes 204: Majority 73.

List of the Ayes.

Abdy, T. N.	Aglionby, H. A.
Adair, H. E.	Alcock, T.

Anderson, A.
Anson, hon. Col.
Anson, Visct.
Anstey, T. C.
Arundel and Surrey, Earl of
Bagshaw, J.
Baines, M. T.
Baring, rt. hon. F. T.
Baring, T.
Barnard, E. G.
Bellew, R. M.
Bentinck, Lord G.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, hon. G. F.
Bernal, R.
Birch, Sir T. B.
Blackall, S. W.
Blake, M. J.
Blewitt, R. J.
Bouverie, E. P.
Bowring, Dr.
Boyle, hon. Col.
Brand, T.
Brockman, E. D.
Brotherton, J.
Brown, W. S.
Buller, C.
Bunbury, E. H.
Busfeild, W.
Buxton, Sir E. N.
Callaghan, D.
Cardwell, E.
Carter, J. B.
Caulfield, J. M.
Cavendish, hon. C. C.
Cayley, E. S.
Charteris, hon. F.
Cholmeley, Sir M.
Clay, J.
Clay, Sir W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Cobden, R.
Cockburn, A. J. E.
Coke, hon. E. K.
Colebrooke, Sir T. E.
Collins, W.
Conyngham, Lord A.
Cowan, C.
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Cubitt, W.
Currie, R.
Dashwood, G. H.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Denison, J. E.
Devereux, J. T.
D'Eyncourt, rt. hon. C. T.
Disraeli, B.
Divett, E.
Duff, G. S.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Dundas, Adm.
Ebrington, Visct.
Ellice, rt. hon. E.
Ellice, E.
Elliot, hon. J. E.
Enfield, Visct.
Evans, J.
Evans, W.
Ewart, W.
Fagan, W.
Ferguson, Sir R. A.
Fitzpatrick, J. W.
Fitzroy, hon. H.
Foley, J. H. H.
Fordyce, A. D.
Forster, M.
Fortescue, hon. J. W.
Fox, R. M.
Fox, W. J.
Freestun, Col.
Gardner, R.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Gower, hon. F. L.
Graham, rt. hon. Sir J.
Granger, T. C.
Greene, J.
Gregson, S.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Guest, Sir J.
Hall, Sir B.
Hardcastle, J. A.
Hastie, A.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Heathcote, J.
Henry, A.
Herbert, H. A.
Heywood, J.
Hindley, C.
Hodges, T. L.
Hodges, T. T.
Hollond, R.
Horsman, E.
Howard, hon. C. W. G.
Hume, J.
Humphery, Ald.
Hutt, W.
Jackson, W.
Jermyn, Earl
Jervis, Sir J.
Jervis, J.
Keogh, W.
Keppel, hon. G. T.
Ker, R.
Kershaw, J.
Kildare, Marquess of
King, hon. P. J. L.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lennard, T. B.
Lewis, rt. hn. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Locke, J.
Lushington, C.
M'Gregor, J.
M'Taggart, Sir J.
M'Tavish, C. C.
Meagher, T.
Mahon, The O'Gorman
Marshall, J. G.
Marshall, W.
Martin, J.
Martin, S.
Matheson, A.
Matheson, J.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milnes, R. M.
Moffatt, G.
Molesworth, Sir W.
Monsell, W.
Morpeth, Visct.
Morison, Gen.
Morris, D.
Mostyn, hon. E. M. L.
Mowatt, F.
Mulgrave, Earl of
Muntz, G. F.
Nugent, Lord
Nugent, Sir P.
O'Brien, Sir L.
O'Brien, T.
O'Brien, W. S.
O'Connell, M. J.
O'Connor, F.
O'Flaherty, A.
Ord, W.
Osborne, R.
Oswald, A.
Owen, Sir J.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmer, R.
Palmerston, Visct.
Parker, J.
Pattison, J.
Pearson, C.
Pechell, Capt.
Peel, rt. hon. Sir R.
Perfect, R.
Peto, S. M.
Pigott, F.
Pilkington, J.
Pinney, W.
Power, Dr.
Powlett, Lord W.
Pusey, P.
Reynolds, J.
Ricardo, J. L.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Robinson, G. R.
Romilly, J.
Russell, Lord J.
Russell, hon. E. S.
Russell, F. C. H.
Rutherfurd, A.
Sadleir, J.
Salwey, Col.
Sandars, G.
Scholefield, W.
Scrope, G. P.
Scully, F.
Seeley, C.
Seymour, Lord
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Sidney, T.
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, M. T.
Smith, J. B.
Smythe, hon. G.
Somers, J. P.
Somerville, rt. hn. Sir W.
Stanley, hon. E. J.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Strutt, rt. hon. E.
Stuart, Lord D.
Sullivan, M.
Sutton, J. H. M.
Talbot, J. H.
Talfourd, Serj.
Tancred, H. W.
Tenison, E. K.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Tollemache, hon. F. J.
Towneley, J.
Townshend, J.
Traill, G.
Trelawny, J. S.
Turner, E.
Tynte, Col. C. J. K.
Vane, Lord H.
Verney, Sir H.
Villiers, hon. C.
Vivian, J. H.
Wakley, T.
Wall, C. B.
Walmsley, Sir J.
Walter, J.
Ward, H. G.
Watkins, Col. L.
Wawn, J. T.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wortley, rt. hn. J. S.
Wrightson, W. B.
Wyld, J.
Wyvill, M.
Yorke, H. G. R.

TELLERS.
Tufnell, H.
Hill, Lord M.

List of the NOES.

Acland, Sir T. D.
Adderley, C. B.
Alford, Visct.
Arbuthnott, hon. H.
Archdall, Capt. M.
Arkwright, G.
Ashley, Lord
Bagge, W.
Bagot, hon. W.
Bailey, J. jun.

Baldock, E. H.
Bankes, G.
Barrington, Visct.
Bateson, T.
Bell, M.
Bennett, P.
Bentinck, Lord H.
Beresford, W.
Blakemore, R.
Boldero, H. G.
Bolling, W.
Bowles, Adm.
Brackley, Visct.
Bramston, T. W.
Bremridge, R.
Brisco, M.
Broadley, H.
Brooke, Lord
Brown, H.
Bruce, Lord E.
Buck, L. W.
Buller, Sir J. Y.
Burke, Sir T. J.
Burrell, Sir C. M.
Burroughes, H. N.
Cabbell, B. B.
Campbell, hon. W. F.
Chichester, Lord J. L.
Christopher, R. A.
Christy, S.
Clive, H. B.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cocks, T. S.
Codrington, Sir W.
Cole, hon. H. A.
Coles, H. B.
Colvile, C. R.
Compton, H. C.
Conolly, Col.
Coope, O. E.
Cotton, hon. W. H. S.
Courtenay, Lord
Cripps, W.
Davies, D. A. S.
Deedes, W.
Deering, J.
Douro, Marquess of
Drumlanrig, Visct.
Drummond, H.
Duckworth, Sir J. T. B.
Duncombe, hon. A.
Duncuft, J.
Dundas, G.
Du Pre, C. G.
East, Sir J. B.
Edwards, H.
Egerton, Sir P.
Egerton, W. T.
Emlyn, Visct.
Euston, Earl of
Farnham, E. B.
Farrer, J.
Fellowes, E.
Filmer, Sir E.
Floyer, J.
Forbes, W.
Forester, hon. G. C. W.
Fox, S. W. L.
Frewen, C. H.
Fuller, A. E.
Godson, R.
Gooch, E. S.
Gordon, Adm.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hon. H.
Granby, Marquess of
Greene, T.
Grogan, E.
Guinness, R. S.
Gwyn, H.
Hale, R. B.
Halford, Sir H.
Hall, Col.
Halsey, T. P.
Hamilton, G. A.
Harris, hon. Capt.
Hayes, Sir E.
Heald, J.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Hervey, Lord A.
Hildyard, R. C.
Hildyard, T. B. T.
Hodgson, W. N.
Hood, Sir A.
Hope, Sir J.
Hope, A.
Hornby, J.
Hudson, G.
Ingestre, Visct.
Inglis, Sir R. H.
Ireland, T. J.
Jolliffe, Sir W. G. H.
Jones, Sir W.
Jones, Capt.
Knightley, Sir C.
Knox, Col.
Law, hon. C. E.
Lennox, Lord A.
Lennox, Lord H. G.
Leslie, C. P.
Lindsay, hon. Col.
Lockhart, A. E.
Lockhart, W.
Long, W.
Lowther, hon. Col.
Lowther, H.
Lygon, hon. Gen.
Mackenzie, W. F.
M'Naghten, Sir E.
Mahon, Visct.
Manners, Lord C. S.
March, Earl of
Martin, C. W.
Masterman, J.
Maunsell, T. P.
Maxwell, hon. J. P.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Moody, C. A.
Moore, G. H.
Morgan, O.
Mundy, E. M.
Neeld, J.
Neeld, J.
Newdegate, C. N.
Newry and Morne, Visct.
Noel, hon. G. J.
Ossulston, Lord
Packe, C. W.
Pakington, Sir J.
Palmer, R.
Patten, J. W.
Peel, Col.
Pennant, hon. Col.
Pigot, Sir R.
Plumptre, J. P.
Plowden, W. H. C.
Powell, Col.
Prime, R.
Raphael, A.
Reid, Col.
Rendlesham, Lord
Renton, J. C.
Repton, G. W. J.
Richards, R.
Rolleston, Col.
Rufford, F.
Rushout, Capt.
Scott, hon. F.
Seymer, H. K.
Shirley, E. J.
Sibthorp, Col.
Simeon, J.
Smyth, J. G.
Somerton, Visct.
Sotheron, T. H. S.
Spooner, R.
Stephenson, R.
Stuart, H.
Stuart, J.
Sturt, H. G.
Thompson, Ald.
Thornhill, G.
Tollemache, J.
Trevor, hon. G. R.
Trollope, Sir J.
Turner, G. J.
Verner, Sir W.
Vyse, R. H. R. H.
Waddington, D.
Waddington, H. S.
Walpole, S. H.
Walsh, Sir J. B.
Welby, G. E.
Wellesley, Lord C.
West, F. R.
Whitmore, T. C.
Williams, T. P.
Willoughby, Sir H.

TELLERS.
Burghley, Lord
Stafford, A.

Bill read a second time.

PASSENGERS' ACT.

MR. LABOUCHERE moved for leave to bring in a Bill to make further provision for the carriage of passengers by sea to North America. The House was aware of the dreadful abuses which prevailed last year in consequence of the crowded state of the vessels which conveyed the emigrants from Ireland to our North American colonies. There was a prospect of a large emigration taking place this year also from Ireland, and the Government wished the House to legislate against the recurrence of the evils complained of during the past year. Out of 106,000 emigrants, who during the last twelve months crossed the Atlantic for Canada and New Brunswick, 6,100 perished on the voyage, 4,100 on their arrival, 5,200 in the hospitals, and 1,900 in the towns to which they repaired. The total mortality was no less than 17 per cent upon the aggregate number emigrating, the number of emigrants being 106,000, and the number of deaths 17,300. The Bill proposed to establish a certain proportion between the tonnage and the number of passengers carried, so as to ensure sufficient space for their accommodation. It also provided that a sufficient quantity of diet should be secured on board the emigrant vessels. What had happened was this—that a number of people in a state of destitution were thrown into vessels, and were not sufficiently provided for during the voyage. It was desirable that the Bill should he passed as

speedily as possible, in order that its provisions might take effect before the season for emigration commenced, which was usually in the month of March.

Leave given.

Bill brought in and read a first time.

House adjourned at a quarter past One o'clock.

HOUSE OF LORDS,

Monday, February 14, 1848.

Minutes.] *Took the Oaths.*—Lord Skelmersdale.

Petitions Presented. By Earl Eglintoun, from Magistrates and Town Council of Ayr, and Aberbrothwick, for Alteration of the Bank Charter Act, and Scottish Currency Act.—From Archdeacon and Clergy of Bedford, and Inhabitants of the Parish of Hunstanton, against the Admission of Jews into Parliament.—From Independent Order of Odd Fellows, Manchester Unity, of Marlborough, praying that the Provisions of the Benefit Societies Act may be extended to them in common with other Benefit Societies.

HOUSE OF COMMONS,

Monday, February 14, 1848.

Minutes.] New Writ.—For Waterford, *v.* Daniel O'Connell, Esq., Chiltern Hundreds.

Public Bills.—2° Distilling from Sugar.

Petitions Presented. By Mr. Horsman, from Milton (Kent), for Amendment of Church Endowment Act.—By Mr. Bankes, from Dorset, for Increasing Efficiency of the Church of England.—By Mr. Forbes, and other hon. Members, from several places, against the Jewish Disabilities Bill.—By Mr. Christy, from Stafford, and Sir R. H. Inglis, from Manchester, against the Jewish Disabilities and Roman Catholic Relief Bills.—By Mr. Bankes, and other hon. Members, from several places, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Lord Ashley, from Stafford, and Mr. Buck, from Suffolk, against, and by the Earl of Arundel and Surrey, from several places, in favour of, the Roman Catholic Relief Bill.—By Mr. Christopher, from Lincoln, against Concessions to Roman Catholics.—By Mr. Cowan, from Dalkeith, for Alteration of the Law respecting Sites for Churches (Scotland).—By Mr. Horsman, from Matching, for staying Proceedings respecting the Tithe, Poor, and Ecclesiastical Commissions.—By Mr. Lushington, and other hon. Members, from several places, for Inquiry into the Case of the Rajah of Sattara.—By Mr. Bankes, and other hon. Members, from various places, for Repeal of Duty on Attorneys' Certificates.—By Mr. Duncan, from Dundee, and by Mr. Hume, from Montrose, for Inquiry into the Excise Laws.

GREAT YARMOUTH ELECTION.

Mr. SEYMER brought up the report of the Select Committee appointed to inquire into the petition of F. H. Goldsmid and others, against the return of the hon. Arthur Lennox, commonly called Lord Arthur Lennox, and Octavius Edward Coope, Esq., for the borough of Great Yarmouth. The hon. Member said, he had to inform the House that the Committee had determined that Lord Arthur Lennox and Octavius Edward Coope, Esq., were not duly elected to sit in Parliament for the borough of Great Yarmouth; that the late election for that borough was a void election; that Lord Arthur Lennox and Octavius Edward Coope, Esq., were, through their agents, guilty of bribery at the last election for the borough of Great Yarmouth; that it was proved before the Committee that various electors had been bribed, but that there was no evidence to show that those acts of bribery were committed with the knowledge and consent of either the said Lord Arthur Lennox or Octavius Edward Coope, Esq.; and that the Committee were of opinion, from the evidence given before them, that gross, systematic, and extensive bribery prevailed at the last election among the freemen of Great Yarmouth; and the Committee, therefore, considered it their duty to express to the House their unanimous opinion that the freemen of that borough should be disfranchised, and that no writ should be issued for the said borough till the necessary measures had been taken for the purpose of such disfranchisement.

Report ordered to lie on the table.

Mr. SEYMER moved that the report be printed; and that the issue of a new writ for the borough of Great Yarmouth be suspended till the House had taken into consideration the recommendations contained in the report of the Committee.

Agreed to.

REVENUE OF THE ARCHBISHOP OF CANTERBURY.

Lord J. RUSSELL: On Friday evening the hon. Member for Cockermouth gave notice of his intention to ask me this evening whether the Government would undertake to inform the person who may be appointed to the vacant see of Canterbury that he must accept it subject to any alteration which Parliament might make relative to the mode of fixing the income of the see. The hon. Member stated that a similar course had been followed in the case of the Bishop of Durham; and he might have referred to other instances in which a notice of that kind was given. I am of opinion that the present mode of fixing the income is not satisfactory; and I think that Parliament may make a better arrangement with respect both to the payment by the Commissioners to the Archbishops and Bishops, and to the payment of those right rev. Prelates back to the Commissioners; and, therefore, I think it perfectly right that any person who may be appointed Archbishop of Canterbury

should be informed that he must accept the appointment subject to any new arrangement which Parliament may make. To prevent any misconception I may state, that it is not the intention of the Government to propose any alteration with respect to the amount of the Archbishop of Canterbury's income, which is fixed at 15,000*l*.

THE NEW HOUSES OF PARLIAMENT.

MR. LABOUCHERE moved the Order of the Day for the House to resolve itself into Committee upon the New Zealand Government Bill.

MR. OSBORNE said, that under ordinary circumstances he should have hesitated before venturing to move an Amendment on an Order of the Day; but he thought that the subject which he was about to bring under the attention of the House fully justified him in deviating from the usual course. After the ingenuous but extraordinary statement made on a former evening by the noble Lord at the head of the Government, and the noble Lord at the head of the Woods and Forests—to the effect that they would not make themselves responsible for the expenditure of the architect—the House would betray its duty as guardian of the public purse if it refrained from coming to a distinct understanding on the subject with the Government. The course taken with respect to the new Houses furnished a remarkable illustration of the aphorism, "what is everybody's business is nobody's business." When he made some inquiries the other evening with the view of ascertaining what the Government were doing in the matter, the First Lord of the Treasury said in so many words that he was doing nothing; and the noble Lord at the head of the Woods and Forests declared that he was assisting his Colleague. The replies which he then received reminded him of the Joe Miller dialogue—"What are you doing, Jack?" "Nothing, Sir." "And what are you about, Tom?" "Helping of Jack, Sir." He thought, if the House took that very peculiar answer into consideration, they would be anxious to make inquiry into the subject. He was not about to make any attack upon or bring any charge against Mr. Barry. He was free to confess that he believed, from all the accounts he could hear of that gentleman, that he was a man of as strict honour and propriety as any Member of that House. Neither did he think that Mr. Barry was so much to blame in this business. Considering the total want of control over the whole of these proceedings on the part of the Government or of Parliament, nobody could wonder that that gentleman should not be very anxious to conclude the job. Since the days of the celebrated architect Amphion, who was said to have moved the stones and raised the walls of Thebes at the sound of his lyre, there had not been a name more bruited about by the voice of fame than that of Mr. Barry. But there was this remarkable difference between the Theban architect and the Christian, that whereas the works of the former were finished in an inconceivably short space of time, the works of the latter had been spread over a period which was not yet brought to a close; and he ventured to predict, unless the House took them into their own hands, never would be brought to a close in the lifetime of the present generation. What he was anxious to establish on the present occasion was, first, that there had been a most reckless expenditure of the public money, without a due exercise of public control, in the building of the New Houses of Parliament; and, secondly, that there had been a most unnecessary delay in carrying on the works. In the month of October, 1834, the Old Houses of Parliament were burnt down; and the first thing done on the subject was in the Session of 1835, when a Committee of the House of Commons sat, and came to certain resolutions as to building New Houses of Parliament. He had not any great fault to find with their proceedings. They might have chosen a more plain, simple, and less expensive style; but they had chosen a most florid style, thereby materially increasing the expense, In 1836, a conjoint Committee of both Houses of Parliament were appointed, which he believed was an unusual thing. That Committee approved of the design sent in by Mr. Barry, and sanctioned the estimated cost of the new building, which was 707,104*l*. He had experienced great difficulty in ascertaining the facts involved in this case, in consequence of the very slovenly manner in which the whole business had been conducted. He might mention, as an instance, the fact that the clerk of the works had not made any note of the time when the foundation of the new building was laid. But to return to the proceedings of the joint Committee—they sanctioned the plan and the estimate, and the period for completing the building, as named by Mr.

Barry himself, was six years. In 1848 the country had expended no less than 1,401,036*l.*, as appeared by an estimate which was acknowledged to be incomplete, and supposed to be imaginary; and yet the building was as far from being inhabited as in 1836. In fact, the New Houses of Parliament were considered among the architects to be a sort of Mrs. Harris, whose real existence was problematical. He would now call the attention of the House to some of the charges which he had selected from the returns before Parliament. The first item was a charge of 22,000*l.* for change of stone. Now, in 1839 a roving Commission of geologists was appointed, who went through England and Wales to examine the different qualities of stone. On the 16th of March, 1839, that Commission made its report. The expense of that tour of inspection, mixed up with some other items, was 4,902*l.* 3*s.* 10*d.* It was natural to suppose that, having the benefit of this Commission, a stone would have been selected such as was applicable to all purposes. But this was not the case; the stone originally adopted was not at all suited to endure the weather, and consequently a charge of no less than 22,000*l.* had been incurred for changing it. Then there was an item of 48,487*l.* 11*s.* 9*d.* for carving stone—an arrangement authorised by the Woods and Forests in 1841. He should have something to say on this subject of arrangement by the Woods and Forests by and by. Another most expensive item was that of ventilating, warming, and fire-proofing the New Houses. It would be in the recollection of the House, that in 1841 a Committee inquired into these subjects, and the estimated expense laid before the Committee, for ventilating, warming, and fire-proofing the New Houses, was 86,000*l.* Dr. Reid proposed to erect a tower, as a portion of the works necessary to ventilation. That might be supposed to cause some increased delay in the time for completing the building; but when Lord Palmerston, in Committee, asked Mr. Barry whether it would cause any delay, Mr. Barry answered, "Not the least." Preparations were then taken for ventilating and warming the building. One would have hoped that this expense would have been all. Lord Besborough, when at the head of the Woods and Forests, and who appeared to be the only commissioner who was at all able to resist the fascinations of Mr. Barry, on the 27th of August, 1841, wrote a letter on the subject of ventilation and fire-proofing of the Houses, in which he said—

> "From the prices at which contracts have been taken for the works already in progress, there can be no doubt with care and attention that a considerable saving will take place on the original estimate that was sanctioned by the first Committee of both Houses."

But what was the fact? By the last return there was already expended on ventilation and warming 96,326*l.* 13*s.* 3*d.*, and they had no security against being saddled with another 90,000*l.* for the same object. But this sum of 96,327*l.* did not include fire-proofing; for that item there was an additional charge of 15,600*l.*; then there was another charge under the miscellaneous works, under the general authority of the architect, amounting in the whole to 21,000*l.* He thought the House would feel it its duty to inquire what was the nature of this general authority of Mr. Barry to put his hand into the public pocket; and he trusted the House would also consider it its duty to put an end to this lavish expenditure of the public money. There had been at least 100,000*l.* expended under this general authority of the Woods and Forests, and of the architect. It was necessary the House should be informed of the reason that had been given for the architect not going on faster with the works. It appeared to have originated entirely in the unfortunate difference that had arisen between Dr. Reid and Mr. Barry. This difference, so far as he could trace it, occurred about the year 1844. It was impossible for him to enter into the nature of the quarrel; but the House should be informed that the quarrel was made a subject of inquiry before a Select Committee in 1846, which Committee on the 5th of August of that year reported—

> "That the practical effect of the differences between those gentlemen was a delay in the building of the House of Lords for nine months, and generally delayed the construction of the whole building. This occasioned great inconvenience and expense, especially as regarded the hiring of Committee-rooms."

When it was considered that the total loss incurred in the hiring of houses was not less than 200,000*l.*, he thought it would be owing to the patience of the House alone that it did not step in and dismiss both architect and ventilator. Dr. Reid, in answer to a question before the Committee, said—

"That for nearly a twelvemonth he had no communication with Mr. Barry, except of a nature that was more likely to be productive of disagreement than to facilitate the progress of the work."

Ever since 1846 this unfortunate squabble had been going on between these two gentlemen; and he hoped the noble Lord at the head of the Woods and Forests (Lord Morpeth) would consider it his duty to inquire into these differences. If he did not, then it would be right for Parliament to step in and decide that the quarrel should not any longer continue. Unless this were speedily done, he was confident the country would ultimately lose upwards of half a million of money. The hired houses cost not less than 203,052*l.*; the allowance for rent to officials was 36,545*l.* 17*s.* 10*d.*; and yet they were nevertheless very uncomfortably provided for. The Speaker was obliged to live in a most inconvenient house; and Mr. Ley their Clerk, whom he saw sitting at the table, and whose health was positively affected for want of a proper house to live in, had been peculiarly ill-treated, for he (Mr. Osborne) found this very remarkable fact in connexion with that gentleman's case:—On the 7th of July, 1842, the Speaker called the attention of Lord Lincoln to the propriety of building a house for the clerk. The report stated—

"That such a residence may be provided for at an additional expense of not more than 2,600*l.*; and as the present Clerk receives 500*l.* a year for house-rent, which payment would cease, on a house being built, your Committee consider it would be no less a measure of conomy than public convenience to authorise the building of the house as proposed by Mr. Barry."

That was five years and a half ago. Mr. Barry said that the house would be ready in eighteen months; and that he only waited for an order to finish it. Now, 500*l.* a year was allowed to Mr. Ley for rent. This sum had been paid for seven years, which made the whole amount paid on that gentleman's account 3,500*l.*; and yet, in 1842, it was stated that the house could have been built for 2,600*l.* Why was not the necessary order issued by the noble Lord the Member for Falkirk (Lord Lincoln), who in 1842, was the First Commissioner of Woods and Forests? Had that been done the country would have been saved a great expense, and Mr. Ley would have been spared a considerable portion of inconvenience. There was a charge of 508*l.* for frescoes in the House of Lords. Now, he was not a man of taste, and, therefore, was not capable of judging of the merits of these frescoes; but he thought it would be difficult to get any future Commission of Fine Arts to approve of those which had as yet been exhibited in the House of Lords. The Fine Arts Commission that now existed—whoever might have appointed it—was evidently careless of the public money. Not, however, being competent himself to speak om this matter, he would quote the opinion of one who was quite as good a judge on the subject as Mr. Barry. A Committee of the House of Lords sat in 1844, of which Lord Sudeley was a Member. In answer to some observation made by Mr. Barry, as to the necessity of ventilation, and respecting the introduction of frescoes, Lord Sudeley said—

"If the buildings of the Houses of Parliament are meant for the fine arts, Mr. Barry may be correct in his observation; but I consider the Houses of Parliament built for no such object; that the fine arts ought to be called in to embellish, but that no necessary architectural arrangement should be sacrificed for their display. . . . . These plans ought to have been settled years ago. It is nine years since we made our report; from that hour till lately I have never seen the plan."

What had been the consequence? The country had been put to a very extraordinary expense; but what was or would be the exact amount it was impossible to ascertain. There was no getting at the doings of this Fine Arts Commission. As a proof that there had never been any control exercised over Mr. Barry since the lamented death of Lord Besborough, that Gentleman, in reply to questions put to him before the Lords' Committee, said, that the alterations made during the nine years were upon his own judgment, without any authority; that they were described to no person, neither to the Commissioners of Woods and Forests, nor to the Government; that he had delivered no plans to the Government, showing the alterations. He further stated that the Commissioners of Fine Arts ordered alterations to be made in the designs, to make room for "larger pictures." In the Committee of the House of Commons, on the 4th of July, 1844, Mr. Barry was asked—

"Have the Woods and Forests ever called upon you for any plans?—Never. Can you tell what the estimate is likely to be for the whole building, when completed?—I am unable to guess even at what the ultimate cost of the building will be."

If this matter was not attended with a very serious outlay, it would, indeed, be perfectly ridiculous. Judging from the answers given by Mr. Barry, might he not

ask of what use was the office of the Woods and Forests to the country? [Mr. Hume: Or any Minister?] His hon. Friend said, "or any Minister," but he (Mr. Osborne) could not go so far as that; but certainly the sooner the House abolished the Woods and Forests the better it would be for the country. When Lord Besborough was at the head of the Woods and Forests he told the architects that he considered himself responsible for what was done by them, and that they were under his control. But this responsibility appeared now to have almost ceased. He was surprised that the House had not taken up the subject before this. He should have thought that the Committee of the House of Commons, having eulogised the report of the Select Committee of the House of Lords, would have had their attention most particularly drawn to the necessity of some effective measure being adopted. The Lords' Committee of the 13th of May, 1844, passed the following resolution:—

"That it appears from the evidence of C. Barry, Esq., that during the progress of the building of the Houses of Parliament certain departures have taken place from the original plans, approved by Committees of both Houses of Parliament, and ordered to be executed under direction of the Boards of Treasury and of Works, which alterations have been made by Mr. Barry without any authority from either of those boards; to which circumstance they think it right to call the particular attention of this House."

He called upon this new Parliament, which professed to contain so many men of business, not to suffer a sneer from the Treasury bench to discourage them, and to insist that the noble Lord at the head of the Woods and Forests should do his duty, and make Mr. Barry do his duty also. So much, then, for the expense which had been incurred. His next proposition was, that there had been unnecessary delay in the completion of the building. How stood the case in 1836? The hon. Baronet the Member for the University of Oxford asked Mr. Barry in 1836 this question—

"How long do you think it will take to complete the building?" and the answer given was, "I imagine about six years for the entire completion. It will be possible, however, to complete the houses and the committee-rooms long before that period, perhaps about two years after the foundations have been laid."

Now, the House would observe, that it had been hitherto found impossible to fix the time at which the foundations were laid. Mr. Barry always professed to be unable to say when the foundations of the building were laid, no diary having been kept of the progress of the works. Now, he would ask, would any private gentleman sit down patiently under such an answer as this? Well, after this a running fire of questions was kept up, and ever and anon some Gentleman got up and asked, "When are we to get into the New Houses of Parliament?" There was also a stereotyped question and a stereotyped answer. The House would recollect that Mr. Barry's original computation, in 1836, was that the Houses would be completed in six years at the furthest; and on the 13th of July, 1842, his hon. Friend the Member for Montrose put a question on the subject to the noble Lord the Member for Falkirk, who replied that he had seen the architect that morning, and that Mr. Barry had informed him that the Session of 1845 would be held in the New Houses. Well, 1845 came, but no New Houses of Parliament were ready. On the 5th of March, 1845, his hon. Friend the Member for the city of York again asked the noble Member for Falkirk when the New Houses of Parliament would be ready; and the noble Lord again replied that he had seen the architect that morning, who saw no reason why both Houses should not be ready in 1847. In July, 1847, Mr. Barry was examined before a Select Committee of the House of Lords, and the following question was put to him—"Have you any idea when the House of Commons will be ready?" The answer was, "None whatever." Again, in December, 1847, when at the end of the last extraordinary Session the noble Lord the Member for Bath (Lord Duncan) asked, "When shall we get into the House of Commons?" he found the noble Lord, now the Chief Commissioner of Woods and Forests, stated that he had seen the architect that morning, and that Mr. Barry had given him every possible assurance that the House of Commons would be completed; but he did not mention the time when. Unless Parliament took the matter into its own hands he feared that the House of Commons never would be completed. There was another remarkable circumstance, to which he thought the House would do well to attend, and that was the rate of remuneration to be paid to the architect. The amount of "commission to be paid to the architect" was left blank in the account; and he wished to call the attention of the House to a very important doubt which had been raised on this subject. A Trea-

sury Minute of 1839 directed "25,000*l.* to be paid to the architect, in conformity with the agreement for the original design;" but to this was appended the following note, "It is but right to state that this has never been acceded to by Mr. Barry." Now, he (Mr. Osborne) was prepared to assert that 25,000*l.* was the maximum agreed to be paid for Mr. Barry's services. He had in his hand Lord Besborough's evidence given before the Committee in July, 1844, which was to the following effect :—

"I think Mr. Barry has no claim beyond 25,000*l.* for the work he has to complete under the plan approved of by the conjoint Committee of both Houses of Parliament."

The House would find, also, from a correspondence which took place between the Commissioners of Woods and Forests and the architect, that on the 22nd of April, 1839, Mr. Barry himself assented to receive this amount of remuneration. He said, in a letter of that date—

"I make no doubt that the proposed amount, although far short of the customary remuneration which has hitherto been paid to architects for extensive public works, is considered by the Board to be liberal, and therefore, with this impression, I have no wish to do otherwise than bow to its decision."

He had brought these matters before the House, hoping that they would be taken up by other hon. Members, and not suffered to fall still-born to the ground ; for he thought that Parliament might be more usefully employed in controlling public expenditure, and legislating in accordance with the spirit of the age, than in founding magnificent palaces of Gothic architecture.

Viscount MORPETH must preface the few observations he had to offer to the House by stating that he really thought his hon. Friend had entirely mis-stated the answers given the other night from the Treasury benches, by the noble Lord at the head of the Treasury and himself. In the first place, he thought he might safely appeal to the House whether there was anything like a sneer in the answer which he gave. The answer given by his noble Friend could not be taken as indicating that the Commissioners of Woods and Forests or the Treasury would exercise no control over the expenditure that was annually incurred in the construction of the two Houses of Parliament ; but when he was asked if he would guarantee that the sum to be spent upon the entire works when finished should not amount to more than 1,400,000*l.*, he stated that he certainly could give no such guarantee. His hon. Friend had been rather severe upon him (Lord Morpeth), and had said that if he, as head of his department, did not interfere in this matter, his office ought to be abolished. Now he would state to his hon. Friend, that since he had had the honour of holding a place in that department, he had made it his particular business to inquire and ascertain what was the understanding of their duty entertained by that department with respect to the construction of the two Houses of Parliament, as it was understood by his predecessors, by the late Earl of Besborough, by the Earl of Lincoln, Lord Canning, and by those gentlemen who permanently retained their seats at the board. All those Gentlemen conceived that they acted ministerially, as a subordinate department of the Treasury, and that as such it was not their duty as a department to settle what annual amount of expenditure was to be incurred, any more than it was their duty to settle the details of the architectural arrangements. He must say, without disparagement to his Colleagues or himself, that he thought it very lucky that such was not the case; for if they had been called upon to interfere in the details of the architectural plans, they would probably have made but very indifferent work of it. But the duty of this department was to exercise a control similar to that of an accountant—to see that the sums annually voted by Parliament were applied to the service for which they were voted, after having obtained the sanction of the Treasury—to see that the contracts were entered into with proper and responsible persons, and upon proper terms—to examine all the accounts—to see that the contracts were faithfully performed according to the rates of measurement, and to provide for the bills being paid accordingly. That office, he believed, was a very laborious one, and he was convinced that it was discharged with great zeal and ability by the officers of the department; and he might especially mention the name of a gentleman who, for a long period of the years, had been especially called upon to transact this business—he alluded to Mr. Milne. Further, it was certainly the duty of the Woods and Forests to report any deviation from the original design to the Treasury, for their sanction or disallowance; and this rule, he believed, had been regularly acted upon by that department. But when his hon.

Friend threw blame on the department of Woods and Forests, and said he wished that a Parliamentary Commission had been appointed, he must remind him that one of the chief sources of expense had been, that this building had been carried on under the special direction and superintendence of Committees of the two Houses of Parliament, which had sat on the subject, conducted their investigations, and made their reports. He wished to state to the House what, up to the present day, the actual expenditure had been, and what was the excess of expenditure over the original estimate. The original estimate was 707,000*l.* The sum advanced upon the works and buildings, including the architect's commission, and salaries of clerks, up to the present time, was 808,000*l.*, a sum certainly exceeding the orginal estimate; but of that sum of 808,000*l.* a sum of 307,000*l.* had been paid for the improvement of the river walls, for the warming and ventilating arrangements, for official residences, sewers, decorations, extra foundations, and various modifications, alterations and additions suggested by Committees of Parliament, and the decorations of the House of Lords, all of which formed no part of the original estimate; so that of the 808,000*l.*, only 430,000*l.* had been expended on the original plans. The hon. Gentleman had said that a different style of architecture ought to have been selected; of course there would be a variety of opinions as to the original style of architecture to be selected. It must be remembered that the style selected was a highly decorated one, and no doubt was an expensive one; but as such it was adopted and sanctioned. He would not now enter into a discussion on the Commission of the Fine Arts. Her Majesty's present Government were not responsible for the appointment of that Commission; but he must say that he did not think the country at large would at all sympathise with the attempt of his hon. Friend to throw discredit upon the efforts that had been made for giving encouragement to the rising talent of the country. He, of course, agreed with his hon. Friend in thinking that any material arrangement, or special accommodation in the Houses of Parliament, ought not to be postponed for the purpose of mere decoration; but where they had bare walls, he thought the country would be pleased to see them covered with the designs and finished pictures of our rising artists. He thought his hon. Friend was unduly severe on the frescoes already completed in the House of Lords. They were not said to be instances of perfection in that branch of art; but they were very creditable as specimens of a mode of decorative art new to this country; and he believed that more practised judges would amply confirm the verdict which he now with great diffidence ventured to give in their behalf. Of course it was impossible for him to deny that this had been a most expensive building, and that it had considerably exceeded the original sum contemplated. But he would fairly put it to the House whether anything else could have been expected under the circumstances of the building. The original design of a building of such vast magnitude and such various uses could necessarily only include the leading principles of the arrangement and the general character of the style of architecture to be employed. Well, then, owing to the shortness of time given to the architect for making the original design, and the imperfect information which he possessed, it must necessarily have included many defects. Now, these defects could only be corrected as the architect became familiar with the requirements made upon him, and after he had time to consider and mature his details. The modifications which had been required had been endless, proceeding from Committees of that House, and from the heads of departments connected with the public service. Since the first stone was laid, the increase in the business of the country had been immense, and required proportionate accommodation. He need only instance that splendid corridor where their Committees on private business assembled; and in which it must be admitted that whatever its cost of construction, it bore no proportion to the cost of the transactions there carried on. Then among other things which the architect could not have been prepared for, were the warming and ventilating arrangements. These were not considered in the original estimates. His hon. Friend had spoken with great deference of the late Lord Besborough; but he remembered that at the request specially made by Lord Besborough, Dr. Reid was employed for the purpose of providing the ventilating and warming machinery, and for that Mr. Barry could not be responsible. Nor did he think that any part of the Executive Government could have taken upon itself to put an end to the arrangement. He might say that, fortified by their happy experi-

ence, a Committee had recommended that the arrangements of Dr. Reid should have full scope; and when it was announced that it was intended that his plan should be applied to the New House of Commons, the information was received with an expression of applause by the House. He hardly felt prepared to enter into any minute details with regard to matters which occurred long before he came into office. But his hon. Friend had specially alluded to one item in the return which had been presented, and that was with reference to the exchange of stone. It was a matter of great difficulty where to find stone for a building so vast as this. At first stone from quarries in Nottinghamshire and at Bolsover was obtained, but not in sufficient quantities, and therefore another quarry at Anston, Yorkshire, had been made use of at a greater distance, which added to the whole percentage. His hon. Friend had also alluded to the non-completion of the official residences; and he agreed with him that it was a great pity that they had not been spared the necessity of voting annually sums of money for the hire of these residences. However, the architect felt that it would be better in the first instance that those parts of the buildings specially intended for the transaction of public business should be finished: it was hardly fair to the gentlemen to be accommodated to place them in their residences while the masonry of the other portions of the building was going on. He was happy to think when his hon. Friend had specially referred to their respected Clerk, that, to judge from his appearance, he was not a subject for his (Lord Morpeth's) Sanitary Bill. The amount of money which had been voted for this building was very great, he admitted; but let them consider the object to which it had been applied; and to do justice to the architect, the House ought to remember the special circumstances of the case. Where was there a building at all comparable to it? It covered between eight and nine acres of land. It was, in fact, more like a whole town than a building. This was all according to the plans. [Mr. OSBORNE: Not the original plans.] The original plans, in the main as approved and selected. How many rooms did his hon. Friend think there were? Between five and six hundred rooms, and one hundred and fifty staircases; and he believed he might say that no such building could be found in Europe, except the Vatican and St. Peter's, that took not ten years, but two hundred years in building. The architect was ready to contend that this building would stand the test of comparison with any building erected in modern times in this country, either with reference to cost of construction, to rapidity of construction, or to the effect of its appearance. The architect felt that he could make that challenge; and he, for one, believed that he would come without shame out of it. Mr. Barry had felt, undoubtedly, from all the circumstances of the case, that he had had himself to sustain nearly all the responsibility of this vast undertaking; and he (Viscount Morpeth) believed that he had been actuated by a single desire to make the work a credit and glory to the country, and of course, derivatively, to his own reputation. The devotion of his time and talent to the subject had been most unremitting; and the many anxieties which it had brought upon him. had been most harassing to his mind to support. On the quesion of expenditure, he did not wish to enter into contention with the hon. Member for Middlesex, or with those who, like him, very properly took in charge the economical application of the public funds. He was not disposed to deny that the mind of the architect might have been sometimes more intent on the credit of the building he was commissioned to construct, than on the credit of the Exchequer; and he did not hesitate to admit, that it was very proper that the Parliament of the country should devote especial attention to the last-named consideration; and he had much pleasure in being able to assure the hon. Member for Middlesex, that it was a consideration which had not escaped the notice of Her Majesty's Government, who were determined, and had, in fact, already taken measures to contract as much as possible the annual sums to be voted for that service in the coming years. Of course that would have to be done at the cost of the slower completion of the building; but Government would make it their duty to require that the more essential portions of the building—as, for instance, the House of Commons, and the rooms for the accommodation of Committees, should be put out of hand with as much expedition as possible, and that until those departments were completely finished, all works of a merely ornamental or decorative character should be postponed. Care should also be taken that the sum to be devoted to works of

that description should be curtailed for the future as far as might be practicable. He should deeply regret any delay in the more rapid completion of the building; but the increasing expenditure on account of the works, and the state of the national finances, rendered it necessary to use some curb in future years. With regard to the understanding that had been come to between the Government and the architect, as to the amount of money to be awarded to the latter as compensation for his services, it was very true that Mr. Barry had always represented that the remuneration proposed to be given to him was inadequate, and below the rate usually charged by gentlemen of his own profession; but nevertheless the undertaking of the Government remained to this day unchanged and undisputed, namely, that he was to get 25,000*l.* for his services, as also did the fact that he did not refuse to undertake the works on those terms. Whatever additional sums Parliament might, in the exercise of its discretion, hereafter think fit to allot him, was altogether a different question; but Mr. Barry was fully sensible that even though that House were to refuse to grant one shilling more than the sum originally stipulated for, he would have no cause of complaint against them, so far as the good faith of the original understanding was concerned. It was not to be expected of Mr. Barry that he should be wholly indifferent to considerations of a pecuniary character; but of this he had not the slightest doubt that the paramount feeling in his mind had all along been that of anxiety for the credit of the building with which his name was for all time to be connected. And while he could not deny that the expenditure had been very great, and that it had very considerably exceeded the original calculation of the cost, he nevertheless was most decidedly of opinion that the building would be an honour and an ornament to the country; and with respect to Mr. Barry, he must take leave to say, that as a man he knew him to be regarded by those who knew him best with feelings of the highest respect and the sincerest attachment. As an architect he united the most brilliant conceptions with the most consummate skill; and amidst all the classes of excellence for which this era had been distinguished, he believed that a prominent and most honourable place would be assigned by those who came after them to the genius of Barry.

Sir R. H. INGLIS was not disposed to lessen the force of the eulogy which the noble Lord had just pronounced upon Mr. Barry; on the contrary, he was disposed to coincide most fully with the noble Lord in his expressions of praise; but he thought it right that he should call the attention of the House to the items comprising the expenditure on the new buildings somewhat more fully than his noble Friend had done. Many matters had escaped the notice of the hon. and gallant Member for Middlesex, which ought to have entered into his consideration. It was very true that the original estimate was stated in one page of the report from which the hon. Member had quoted to amount to 707,000*l.*, and that in a subsequent page were to be found items which in the aggregate amounted to 1,400,000*l.* If the items which were contained in the latter page, and which had caused the overcharge, had been represented in the original estimate, the conclusion would be clear that the architect had yielded more to his desire to promote the credit of the building than was consistent with his duty to his employers; but he begged leave to call the particular attention of the House to this fact, that the items which made up the enormous aggregate in page 3 were not at all represented in the pages which contained the original estimate. They were a different class of items altogether. The first of them amounted to no less a sum than 82,000*l.*, and represented a circumstance which had not at all entered into the original estimate. It was clear, therefore, the excess of expenditure under the head of that item ought not to be set against Mr. Barry. The next item represented monies expended on wharfings, terracings, and foundations of the building; but that item also should be excepted from the charge against Mr. Barry, for there was no provision made for it in the original estimate. These two items amounted together to 220,000*l.* which ought in justice to be deducted from the amount charged against Mr. Barry, who was on his trial for having exceeded his original estimate. With respect, moreover, to the embellishing of the interior, and the general finishing of the buildings, the works that were done in that branch of the undertaking might be right, or they might be wrong, but nothing corresponding to them was to be found in the original estimate; and it would be therefore manifestly unfair to include in the case against Mr. Barry any allusion to the sums expended on any such account. Such

items had not entered into his calculation, nor was it required that they should when he drew up his first statement; and any excess or outlay in respect of works not originally contemplated could not fairly be confronted with that statement. The expense of the Commission and the cost of decorating the House of Lords amounted in the aggregate to 300,000*l.*; but for that expenditure also Mr. Barry was wholly irresponsible, not having originally contemplated it. The hon. Member for Middlesex not only blamed the Government and the architect, but had severely censured the Commission of Fine Arts, and had held them up to the indignant animadversion of the gallant Member for Lincoln, as though, instead of being unsalaried, they were very highly paid; but the fact was not so. Ministerially, the appointment of that Commission originated with the right hon. Baronet opposite; but it was, moreover, in entire accordance with his own views with respect to the promotion of the fine arts. The right hon. Baronet was moved to the issuing of that Commission by the recommendation of a Committee of that House. Of that Committee the two leading Members were Messrs. Hawes and Wyse, two Gentlemen who, he grieved to say, had no longer seats in Parliament. He had often differed from each of them on political questions; but in the present instance he mentioned their names with honour. For years they used their influence most zealously and perseveringly to induce each successive Government to devote a portion of the public patronage to the encouragement of the fine arts. In no country of Europe was so little money given from the public funds for the promotion of the fine arts as in this, the richest of all countries. They had been told that the two specimens of fresco painting in the House of Lords were not the perfection of art; but he would take leave to remind the House that they were almost the first specimens in that particular branch of art that had been attempted in this country, and it was not reasonable under such circumstances to expect performances which should rival in conception or execution the matchless frescoes of the Vatican; but he confidently appealed to any competent judge to say whether the works did not possess very great merit; and whether such a commencement had not been made as fully justified the encouragement that had been given? With respect to Mr. Barry, he had a very high opinion of that gentleman's genius, and should be sorry if his talents as exhibited in the splendid palace in which the House would ere long assemble should not be appreciated; but leaving the question of external ornament entirely out of consideration, he would take leave to say that it was impossible they should desire any thing better for their accommodation than that the architect should be enabled to give them in the new edifice a room in which they could hear, see, and speak with as much comfort and convenience as in the present building. Not being quite at ease as to the certainty of obtaining as good accommodation elsewhere as they at present enjoyed, he admitted he was not at all as anxious for a change as some of his neighbours; but he was willing to make every allowance for those who were more anxious on the point than himself. In conclusion, he would only observe that if the noble Lord at the head of the Woods and Forests could manage to get the designs of the architect carried out to completion in a year and a half, or in two years, it would, in his (Sir Robert Inglis's) opinion, be much more consistent with a true economical policy that he should do so, than that he should distribute the expenditure over a surface of four or five years. If it were physically and architecturally possible to complete a given amount of building within a given number of months, and if the state of the public treasury would permit an immediate expenditure, he was decidedly of opinion that it was on every account desirable (and on no account more so than on that which had reference to economy) that the works should be finished off with all possible expedition, and that the money requisite for their completion should not be spread over a larger period than was absolutely necessary.

Mr. HUME entirely concurred in the last sentiment expressed by the hon. Baronet who had just resumed his seat. The plan proposed by the noble Lord at the head of the Woods and Forests department, instead of promoting economy, would be productive of considerable additional expense. Mr. Barry, circumstanced as he was, had no doubt an excellent opportunity for displaying his taste; but he ought to do so at his own expense, rather than at that of the country. The House had a right to have expected a more favourable state of things at that hour of the day than was afforded by the present condition of the New Palace. He was glad to see the right hon. Baronet (Sir R. Peel) in his place,

because he would be able to show the right hon. Baronet that he had every right to expect a very different result from what had been shown in respect of these buildings. It should be recollected that this business was not hastily begun. He remembered, however, how he had been treated in the matter of Buckingham Palace. 300,000*l.* was the sum originally required for the purposes of that edifice; and the Chancellor of the Exchequer, after three days' deliberation, pledged himself and the Government with which he was connected, that not one shilling more should be demanded. The House relied implicitly on that assurance, and never dreamt that it was not to be religiously adhered to, until they were called upon to give their assent to a vote of seven hundred and eighty thousand pounds. Warned by that and some other similar occurrences, he had gone cautiously to work, and had taken care that Mr. Barry should have ample time and the fullest opportunity to consider his estimate. Mr. Barry had drawn it up solemnly and deliberately; and the monstrous deviations from it were wholly unpardonable. In the Committee which sat upon this matter, he proposed that Mr. Barry's estimate should be rejected, and that of Mr. Hamilton accepted, who offered to erect a building quite suitable for Parliamentary purposes, and somewhat resembling Somerset House, at a cost of 450,000*l.* Unfortunately, a large majority of the Committee and of both Houses decided against that proposition. When Mr. Barry sent in his estimate, the Committee were about to accept it without evidence; but he insisted on its being examined, observing that he would never give his assent to it until he had clearly ascertained that the calculations were properly made, and that Mr. Barry perfectly understood the description of accommodation that the House would require. Accordingly Mr. Barry was called in, and, on examination, he stated that he had made the estimate himself, assisted by competent persons—that they were such as he could rely upon—and that the kind of stone to be used, for which a price of 4*s.* a foot was estimated, was to be the best that could be got for the purpose. With regard to the 4,000*l.* which had been spoken of by the hon. Member for Middlesex as having been expended by the Commission appointed to decide on the best description of stone to be used in the building, he was not at all disposed to censure the Government for that expenditure. The Commission consisted of Mr. Barry, Sir H. De La Beche, and another gentleman. Their labours were very necessary —they had to visit all parts of the country, and they made a valuable collection of specimens, which were now in the British Museum. It could not be pretended that due time and opportunity for deliberation were not given to Mr. Barry. At his (Mr. Hume's) suggestion, a year was allowed him to mature all his plans, and to consider all his calculations. At the end of that period a letter was written by Lord Duncannon, on his own behalf and that of his Colleagues, stating it to be their conviction that the works (exclusively of the proposed embankment of the Thames) could be completed for 707,104*l.* He objected to leaving the management of the matter in the hands of the Woods and Forests department; and he suggested that some person or persons should be appointed for the special and exclusive purpose of superintending the matter; but he was overruled. It was said that everything should be left to the Treasury; and he was decidedly of opinion that the right hon. Baronet the Member for Tamworth was responsible for his share of the excessive expenditure. What was the state of the building now? He had an estimate in his hand, drawn up by a very competent person, which showed that the cost of completing the works, instead of 1,400,000*l.*, would be 1,781,000*l.*, being 1,000,000*l.* beyond the sum which the House of Commons originally limited the expenditure to. Would the right hon. Gentleman and the Committee have agreed to enter on such an undertaking if they had then any idea that the expenditure would so far exceed the estimate? He had complained of the late Lord Besborough, as Chief Commissioner of Woods and Forests, in reference to this matter; but Lord Besborough denied that he had sanctioned the additional expenditure, and stated that he had signed a plan, believing it to be the original plan, though it turned out to be one with amendments. If any such imposition had taken place, there was no punishment which the Government ought not to have inflicted on the guilty parties. He had never seen any disposition on the part of the House to refuse any expense for any useful building. For himself, he had never refused, in cases where the building was likely to add credit or honour to the country. He certainly did think it was very

desirable that the noble Lord should lay upon the table a precise statement of all the expenses incurred by or at the instance of that Committee. It would be wrong to blame Mr. Barry or the Government for that with which they were not justly chargeable. He did not know who the gentlemen were who constituted the Committee of the Fine Arts. He believed Prince Albert was at the head of the Commission. [An Hon. MEMBER: Yes, he was.] Well, that did not at all improve it. He meant that that fact should not exempt the Committee from the obligation of giving an account of their expenditure. He was very glad to see the Prince devoting attention to such matters. It was very much to his credit that he should give the benefit of his taste, skill, and experience to the promotion of the arts and sciences; but at the same time the House ought to know what was the amount of national expense occasioned by that Committee. He did not blame Mr. Barry. That gentleman had a toy and plaything in his hand, and, having fools to do with, he played with it as he liked; but the people should know that the result would be additional taxation. Was it right, when Parliament had decided to give a certain sum only, that twice as much should be expended? It was a reproach to the Treasury that such expenditure should be incurred, and especially to the right hon. Baronet opposite (Sir R. Peel), who was First Lord of the Treasury— [Sir R. PEEL: Not when the building was commenced.] No, but the right hon. Baronet was First Lord of the Treasury when the deviations from the original plan, which led to the excessive expenditure, was sanctioned. It was originally decided that the architect should not be paid by a per centage; and it should not have been held out to any man, that if he doubled or tripled his expenditure he should receive so much the more payment. It was to him a matter of deep regret, that the Treasury had not adhered to the original resolution, and had sunk two millions of money on the banks of the Thames. On three distinct occasions he implored of the House to remove the situation of the New Palace to the park opposite Marlborough-house, where the daylight could get at them, instead of their being buried on a sand-bank of the river; but all his remonstrances were in vain. They were spending two millions of money in building a house in a dark dismal pit, and a great tower was to be built in the only spot through which there was the slightest chance of their being visited by a stray beam of sunshine. It would be satisfactory if Ministers would even now come forward and state what arrangements they had made to prevent the lavish expenditure of the public money for the future. It was to be hoped that Government would take care that not one shilling should be expended for the future that could be avoided. All tawdry, useless, and unnecessary ornaments, such as disfigured the House of Lords, and though suitable to the time of Louis XIV., were wholly unfit for the present era, should be strictly eschewed. Mr. Barry should be put under curb and bridle, for he had had his own way too long.

SIR R. PEEL: When the subject was last under the consideration of the House, I offered a humble suggestion, that the House should appoint a Committee to inquire into all the circumstances; for I felt that the investigations of such a Committee would, either as regarded the original estimate of the construction of the Houses of Parliament, or as regarded the deviations, throw light upon the whole matter much more effectually than anything which could be said in the course of a debate. I was anxious that a Committee should be appointed to inquire as to the original estimate, and all the works which it covered, that we might see to what extent the original estimate had been exceeded, and ascertain whether there were any other items besides the expense of embanking the Thames not included in it—what was the excess of expenditure—and what were the causes that had led to that excess. I am of the same opinion still. I still think it is very much to be desired that a Select Committee should be appointed for the purposes I state; for I am well aware that matters of detail, such as are involved in the present question, are disposed of much more satisfactorily by such deliberations than they can be by a debate. The hon. Member for Middlesex has a more accurate recollection than I have of what took place in a Committee, of which I was merely a private Member, not having been in office at the time. With respect, however, to the remuneration of the architect, I remember distinctly that when that question was under discussion, I entirely concurred with those who said that it was better that Mr. Barry should have a stated sum as the total amount of his remuneration, than that, following what I believe is the gen-

eral rule in his profession, he should be allowed a per centage of 5 per cent, or any per centage whatever, on the work done. And I must say, it is very unfortunate that the Treasury allowed a single stone to be laid before laying down that condition, receiving the protest of Mr. Barry. They should have said, "A sum shall be paid to you—be it 25,000*l.* or 30,000*l.*, or any other sum. We discourage entirely all expectation on your part of payments to a higher amount, or on another principle. At all events, we give you notice that it is a matter which will be settled before the commencement of the building." I must further observe, that I do not think the blame falls either upon the architect, or the Woods and Forests, or the Treasury, exclusively. I think the House of Commons itself must bear a very considerable portion of the blame. I must say also, that if the result of the deliberations of the Committee in 1835 had been to present to you a building according to the *beau ideal* of excellence in the hon. Gentleman's estimation — namely, according to the plan of Somerset House—there would have been universal disgust. He said the estimate for such a building was about 400,000*l.* Now, I recollect when the House, in a very economical humour, specified the sum that should on no account be exceeded for certain public buildings; and what has been the result? First of all, there is Buckingham Palace. The hon. Gentleman there got a positive assurance that 300,000*l.* would be the sum expended; but if he walk through St. James's Park now he will see what has been the expenditure there. He will see it is a very large building. [Mr. HUME: There are additional buildings.] But even without the additional buildings, I do not think he will derive very great satisfaction from a consideration of the expenditure on Buckingham Palace. Then there is the Treasury. The Treasury was built, and in some years after it was completed it was resolved to alter the front of it and improve its appearance; and to whose aid are you indebted for the great improvement which has been effected? To that of Mr. Barry, whose qualities are called in question. I think it is a proof of his consummate skill that Mr. Barry has been able to make out of the Treasury, as it was left twenty or thirty years ago, so beautiful an ornament to the metropolis. There are other instances of the consequences of your economy in regard to public buildings. First, you limit the architect to such an amount that his skill is fettered; and then you become so dissatisfied with the effects of your limitation of expense, that you pull down the whole front of a building, and employ another architect to supply a better one. [Lord MORPETH: The National Gallery.] There is the National Gallery. We were told that we should build a National Gallery for 70,000*l.*; but we are now all anxious that Mr. Barry should be sent to improve that. The sum was perfectly inadequate to erect the building on that magnificent scale; and the result is, the structure is one on which we cannot congratulate ourselves. [Mr. HUME: It would have been a brick building, only I recommended that it should be faced with stone.] It was originally proposed that the arcade should be eleven feet high; and does the hon. Gentleman recollect an observation he made, that people are not eleven feet high, and that seven feet would be sufficient; and does he not likewise remember that it was suggested to him in reply, that the higher we make the arcade the more we will save in brick and mortar. There, I say, is the National Gallery: you stinted the artist to a certain sum, and the result has been a building quite unsuited to the character of the country, and unfitted for the purpose to which it is devoted. I have heard with great regret that any censure has been passed on the conduct of the Government in appointing the Fine Arts Commission. It was the universal feeling of Parliament that they should not confine themselves to the building of houses for our own reception, but that they should see if the necessity for the erection of new buildings could not be made instrumental in promoting the arts. It was the unanimous feeling of the House of Commons that a Commission should be appointed to consider that subject, but without the power to incur any expense. I think that subject should be fully inquired into. I do not think the Fine Arts Commission had any authority to make such order without the consent of the Treasury. That Commission has been of the utmost benefit to the promotion of the arts. The Members have given unremitting attention to their duties, and his Royal Highness Prince Albert has presided over it. They received no remuneration for their labours, with the exception of the Secretary; and I cannot mention Mr. Eastlake's name without offering him that just tribute of respect which is most justly his due, as one of the most accomplished and learned men of the

profession to which he belongs. He acted as secretary, with very inadequate remuneration for the sacrifice of the time which it was necessary to devote to it. I now ask, has not that Commission been successful? And yet the criticism that is passed on it must be painful to the feelings of the eminent persons who compose it. I hear it said that English taste is not accustomed to those productions which have appeared under its auspices. There are Gentlemen who contemplated oil paintings as fit decorations for the Houses of Parliament; but you are to consider that the works which have been selected are novel in this country; and you find that those who are acquainted with fresco are surprised at the success which has attended the efforts of our artists. At any rate, every exertion has been made by that Commission to call out the latent talent of the country; and no man can see the exhibitions of successive years in Westminster Hall without rejoicing in the opportunities which have been afforded for its development. Many persons whose powers were hitherto unknown —gentlemen not members of any public institution, or connected with the Royal Academy — have been led to exhibit a knowledge of the arts, and a practical application of them, for which this country was totally unprepared. In that respect I say the Fine Arts Commission has fulfilled one of the objects for which it was appointed, namely, whether the construction of the New Houses of Parliament might not be made conducive to the promotion of the arts. But with respect to the conduct of that Commission, I am sure if a Committee be appointed, there will be every disposition to give the fullest information to this House; and I think the hon. Gentleman will find that that Commission is not responsible for any expenditure on its own authority. If such a Committee be appointed as that referred to by the hon. Gentleman the Member for the University of Oxford, the relations in which the Committees of the House of Commons have stood towards those buildings and towards Mr. Barry will be ascertained. We shall see if any blame can attach to any party; and we shall see also the party on whom that censure ought to justly fall. With respect to the site of the building, the course adopted by the House when the building was undertaken, saves Mr. Barry and the Executive Government from any responsibility on that account. That subject was brought under the consideration of Parliament. The hon. Gentleman the Member for Montrose thought that Marlborough House, at the bottom of St. James's-street, would be preferable; but there was a strong objection on the part of the House of Commons to have the New Houses of Parliament removed from this place, which was the ancient site. There was a strong desire to restore the old palace of Westminster, and to keep the Houses of Parliament as near as possible to the locality to which we were accustomed. The arguments for and against were fully gone into, and the House of Commons resolved to restore the old palace. Then with regard to the expense, it was from the nature of the foundation very difficult to make any estimate of the expense of embankment; and I am anxious that the subject should be fully inquired into, until we see how far the expense of embankment has influenced this excess. As to Mr. Barry himself, I must do him the justice to say, that in all the opportunities of intercourse I have had with him, I have found him fulfilling every duty which could possibly be expected from an architect. He was naturally solicitous that the work should be worthy of his fame, and the purposes for which it was intended; but there was no disposition whatever on his part to increase unnecessarily the expense, or on his own authority to depart from the plans originally laid down. Whatever we may now think, or however we may smart under the expense of this building, this is satisfactory. So far as I have had any intercourse with foreigners, it has extorted from them almost general approbation. I have consulted with foreigners who had the best means of judging of the comparative merits of public buildings in different parts of Europe, and both with reference to the interior and the exterior arrangements I have hardly heard any dissent from the general feeling that it was most honourable to the architect by whom it had been designed. I believe that almost all the artists with whom I have been drawn into communication, are inspired by high feelings of honour and principle. They prefer distinction to pecuniary profit, and I believe those are the motives by which Mr. Barry is actuated. I believe that the result of any inquiry will be to show that Mr. Barry is not responsible for any excess of expenditure. On inquiry it will be seen what is the nature of the building, the number of persons to whom accommodation is to be afforded, the conflicting opinions of Lords and Commons, the various views that were entertained, the immense

extent of accommodation required for Committees, which was hardly anticipated when the building was designed; and I believe, on a full inquiry into those particulars, a mode of accounting for the extent of the expenditure will be found which will not imply blame to any party. Let the matter be gone into; let us see if any censure be due; and let us see if any precautions can be adopted for the future. I have one concluding point to notice, and that is, that I concur with the hon. Gentleman (Mr. Hume) in thinking, that if we are satisfied that the building—I will not say according to the original design, but according to the present design—can be completed in a short time, it would be better, for the sake of economy, to avoid spreading the cost over a certain number of years; that we should be guided by economy alone; that we should be influenced by no desire for increased convenience—by no desire to exchange the old building for the new—by no jealousy of the House of Lords on account of their having possession of their apartment so soon—by no considerations of architecture even—I am content to rest the case upon economy alone—upon a saving of money; and if the result of the inquiry should show that, by the employment of a great number of men simultaneously, and a great number of expensive machines, we can complete the work in two years at less cost than if it were spread over seven years, do not let us incur the additional expense from an unwillingness to meet the cost at once. In the case of individuals, it may sometimes be necessary to pay by instalments; but, in the case of the public, if the public interest and a regard to economy should require the immediate completion of the work, I am sure it will be much better to pay at once for its immediate completion, than to have it spread over a certain number of years. But we cannot discuss those matters satisfactorily until the proposed Committee shall have presented the result of its deliberations.

Mr. M. MILNES said, that as a Member of the Committee to which reference had been made, he might be excused for offering one or two words to the House. He deeply regretted that the works of art exhibited in the House of Lords had not produced that effect on the public mind which had been anticipated; he was greatly annoyed at finding how little those works were appreciated; and he derived no consolation from finding the cause in a fundamental error, which was traceable to the Commission itself. The great master of decorative art had pressed upon the right hon. Gentleman, that whatever merit there might be in the individual works, a gallery of fresco paintings would be ineffective; and that fresco paintings ought to be made subservient to architectural decoration. The consequence of neglecting that advice was now seen in the failure of effect which the fresco paintings in the House of Lords unfortunately exhibited; and he hoped that warning would be taken from that failure by the Commissioners of Fine Arts, and that that fundamental error would in future be avoided; for otherwise no merit on the part of the individual artists would prevent a failure of general effect in the rest of the building as great as that now witnessed in the House of Lords. He denied the soundness of the principle advocated by the right hon. Gentleman opposite, that in this matter they ought to concentrate their efforts within a short space of time. In the first place, he thought that in the present state of distress it would have an appearance of harshness and unfairness towards the people if they were to expend very large sums on matters of ornament and luxury. But, independently of that, this was the first time that an attempt had ever been made to complete a great public work of this magnitude within a single decade; and he was sure that the attempt must fail. The building of St. Peter's spread over a century; that of St. Paul's occupied the lifetime of Sir Christopher Wren; and the Madeleine at Paris, recently finished, was commenced during the consulate of Napoleon. He objected, therefore, to forcing the completion of this work within any limited period; and, although with regard to the House of Lords there might have been good cause for the impatience of Lord Brougham and other noble Lords to get into the New House, there was not the same reason as to that House; he, for one, was very well contented with this House, though it certainly was very like a railway station; but his great anxiety was, that a great work of art should be erected; and he believed that that wish would not be realised if the architect was to be limited as to the time of its completion.

The Earl of LINCOLN said, assuming as he supposed he might, from the tone this discussion had taken, that on some future day the Motion would be made of which the hon. Gentleman the Member for the University of Oxford had given notice, namely, for the appointment of a Committee to examine into the whole of this subject—the charges which had been made,

not so much on the present occasion as on former occasions, against those departments of successive Governments that had the management of the works at the New Houses of Parliament, and against the architect—and which Motion he hoped would be carried by the unanimous consent of the House—he should feel it to be unnecessary to go into those details that had occupied the attention of the hon. Gentleman the Member for Middlesex. That hon. Member had both exaggerated the excess of expenditure above the original estimate, and underrated the extra works which had since been found necessary, but which had formed no part of that estimate. But before noticing these inaccuracies, he wished to advert to two or three of the incidental subjects which had been referred to by hon. Gentlemen, and particularly to one point which was alluded to by the hon. Gentleman the Member for Montrose. The hon. Member for Montrose repeated that charge which had been made in the House in former years against Mr. Barry, namely, that he had undertaken to make a great alteration in the original plan of the buildings without any sanction whatever. [Mr. HUME: The Lords' Report says so.] The hon. Gentleman interrupted him by saying, "The Lords' Report says so." Now he had not read the Lords' report. He did not know to what question it was the hon. Gentleman referred, or how far the question he had quoted might be a mere verbal quotation or borne out by the questions and answers that succeeded and preceded it; but he knew this, that concurrently with the Lords' Committee a Committee of that House had sat for the purpose of considering this very question. He was himself the chairman of that Committee; they went most carefully into all the charges, and the result of the consideration of the subject was, that Mr. Barry was completely exonerated from any such charge. It was proved that if alterations in and deviations from the estimate had been made, they came from the House itself; and he was prepared to say, that if this Committee were appointed, he was confident the result would be to show, he would not say that no blame should attach to the architect or the successive Officers of the Woods and Forests, or the Board of Treasury; but that if blame at all were due to them, to that House that blame was in by far the greatest proportion to be attached. He had an experience of four years in the Office of Woods and Forests. He could say that during that time successive alterations were proposed to carry out the warming and ventilating arrangements. Those alterations were submitted by Government to the House, and Committees were appointed, and the result of those Committees, without exception, had been, he thought, rather to increase than to diminish the expense. He would not go through the charges brought forward by the hon. Gentleman; but if he did not imagine that a Committee was about to be appointed, he should think it due to the Executive Government and to the architect to enter into them. The question with respect to the addition of 22,000*l.* for the stone had been discussed, and that was fully accounted for by preceding speakers, and, above all, it was most fully accounted for in the most satisfactory way by the Committee which sat in 1844. The hon. Gentleman had praised a former Commissioner of Woods and Forests, to whom he should be as ready to pay respect as the hon. Gentleman himself—he meant Lord Besborough; but he thought the hon. Gentleman had a little unfairly represented the case when he said Lord Besborough had pursued a different course from his successors, and had exercised a control in that department which others had not exercised. He thought that the result of investigation would show that up to the time he had quitted office, the same control was maintained as had existed in the time of Lord Besborough; and he did not doubt that the same practice was pursued by his noble Friend opposite (Lord Morpeth). Now, what was the course pursued by Lord Besborough (and he was not attributing it as a charge against him, but quite the reverse)? It was this: many of those heavy items, the expenditure for which they now complained of were passed under the authority of Lord Besborough, with the full assent and approval of the House. It was true that Lord Besborough had recommended that the estimates relative to the warming and ventilating should be submitted to the House with a view to reduce the amount. As soon as the Government of which he (the Earl of Lincoln) was a Member, succeeded to office in 1841, they found this recommendation from Lord Besborough; and when they found that in his opinion those estimates ought to be submitted to a Committee of the House of Commons, one of the first acts of the Government was to move for such Committee. The result was that that Committee recommended, as former Committees had done, that there should be no curtailment; that the opinion of Lord

Besborough was founded in error; that there could be no saving in the contract at all; and that the whole of those estimates must constitute an additional expense. He would now come to the statement of the hon. Member for Middlesex, with respect to the expense of the building. If he rightly understood the hon. Gentleman, he had stated that evening what he had stated previous to the recess, and what had, on his authority, gone to the public, namely, that the original estimate being 707,000*l.*, 1,400,000*l.* had been already expended on the building, and that more was yet to come. But he begged to assure the House that the statement was erroneous. The whole sum expended, as appeared by a return, was 833,000*l.* [Lord Morpeth: 808,000*l.*] The noble Lord opposite stated it to be 808,000*l.* The sum stated in the return was 833,000*l.*, but he had no doubt there was some good reason for the discrepancy. Now, how stood the case with regard to the expenditure being an excess over the original estimate? The original estimate was 707,000*l.*, the expenditure was stated to be 833,000*l.*; but 378,000*l.* out of this sum had been for works which were never included in that original estimate. Now, assuming the sum to be as the noble Lord had stated, and that 808,000*l.* was expended up to the present time, if they deducted the sum expended for those extra works, namely, 378,000*l.*, it would leave the sum already paid for the works included in the estimate only 430,000*l.* What he wished was, that a great misrepresentation should not go forth to the public, for while it was represented that 1,400,000*l.* had been already expended on an estimate of 707,000*l.*, the real fact was that only a sum of 430,000*l.* had been expended. According to the estimate of the hon. Gentleman the Member for Middlesex, there was already an excess on the estimate of 693,000*l.*, whereas in reality there was remaining to be expended of the original estimate a sum of 276,000*l.* He had taken the trouble to refer to a former report on the subject, and what he was now about to state would be found in that report. He begged to call the attention of the House to some of those works which had been laid by hon. Gentlemen as a charge against the architect, whereas they were additional works subsequently sanctioned by the House of Commons. For the river wall 55,902*l.*; purchases of property on which a large portion of the building stood, 82,054*l.* There was for extra foundations—an unavoidable expense arising from quicksands—difficulties having been encountered in laying the foundation, which never could be included in the original estimate, a sum of 35,063*l.* And then came two large items, 21,000*l.* for additional fire-proofing, and for warming and ventilating 65,000*l.*, change of stone 22,000*l.*, and 40,000*l.* for the embellishment of the House of Lords. There was also another enormous item, rendered necessary by an alteration which had been recommended, having reference to the warming and ventilation, namely, a sum amounting to nearly 50,000*l.*, for alterations in the construction of the roof. He need not, he thought, go more into detail on those points, as he hoped the Committee would investigate them thoroughly. When the hon. Gentleman said there had been reckless expenditure, he did not think the hon. Gentleman had proved his case; but it would be for the Committee to inquire how far his charges were correct. The second head of his charge was unnecessary delay. All these charges had again and again been examined into before previous Committees. The hon. Gentleman had said, that four years since the question was asked, "How soon shall we get into the New House of Commons?" and that in two years afterwards, the same question was asked, and the same answer given. He admitted that; and he believed if the noble Lord opposite were asked the question at the present moment, the noble Lord would name very little less time for the completion of the works than he had named two years ago. That was the case because the House of Commons had chosen to make arrangements which it was not necessary for him to criticise. It was impossible, it was said—and in this he entirely agreed—for the building to proceed until the architect and the ventilator had assigned to them their proper vocations; and he hoped the noble Lord had succeeded in the very difficult task of placing those officers in the performance of their respective and proper duties. The delay which had arisen in the completion of the House of Commons was principally owing to the experiments for warming and ventilating—items not included in the original estimate. Over them the architect had no control, and he was in no way responsible for that delay. The hon. Gentleman the Member for Montrose had made some not very handsome allusions to the remuneration proposed to be paid to Mr. Barry for his professional services. It was

true that by a Treasury Minute the remuneration to Mr. Barry was fixed at 25,000*l.* for the superintendence of the whole of the erections. But it was equally true that Mr. Barry at the time protested against that sum, it being an inadequate remuneration as compared with the sums paid to architects in the erection of public or private buildings. Mr. Barry also looked upon the Treasury Minute as something reflecting, in no slight degree, upon his honour: it seemed to raise a suspicion that he had an intention of extending the cost of the building far beyond the original estimate; and he objected to it on that ground. Mr. Barry accepted the proposed remuneration under protest. And the House should bear in mind that Mr. Barry was very peculiarly circumstanced—he was in a manner compelled to accept the offer. The proposal was made after Mr. Barry's plans had been adopted. When hon. Gentlemen brought the charge against Mr. Barry, that he had involved the nation in an enormous and extravagant expenditure, he (the Earl of Lincoln) must remind them that Mr. Barry was deprived of any pecuniary incentive to increased expenditure, inasmuch as if the Treasury Minute were adhered to he was not entitled to more than 25,000*l.*, if the expenditure amounted to four times as much as the estimate. Taken as a per centage, 25,000*l.* was only 3 per cent on the outlay originally contemplated, instead of 5 per cent, the rate commonly charged by, and paid to, architects. When hon. Gentlemen talked of Mr. Barry being overpaid, they should bear in mind that Mr. Barry was called upon to supply all details—that he was called upon to exercise a general and vigilant superintendence—that the wear and tear on his brain and mental faculties was such as few architects had ever encountered—and then they would be ready to admit that it would be difficult to estimate the value of such services. They should also bear in mind that Mr. Barry, by undertaking the erection of this great public building, was unable to undertake works for private individuals—works certainly less in extent, but much more remunerative in their character. Under these circumstances, it ought not to go forth to the world that the House had been ill-treated, plundered, and deceived by Mr. Barry. He felt convinced that the House, on the contrary, would do full justice to the zeal of Mr. Barry—his undoubted ability—his unrivalled talent. They would not, in one of their cold fits of economy—to which the right hon. Baronet (Sir R. Peel) had alluded—be continually carping at necessary and unavoidable expenses; they would not be holding up Mr. Barry to the indignation of his countrymen, as having enriched himself at the expense of the nation, when almost the only remuneration which Mr. Barry had received for ten years was that applause which he had gained, not merely from his own countrymen, but from every distinguished foreigner who had visited the building. Every foreign architect, every foreign sovereign, or scientific professor, who had examined the New Palace, concurred in declaring that it was an erection tending greatly to the honour of the nation, and reflecting unbounded credit upon the talent and taste of the architect. He would not detain the House by expressing his individual opinion of the merits of Mr. Barry both as a man and an architect, because those points had been satisfactorily dealt with by the noble Lord opposite (Viscount Morpeth), and his right hon. Friend the Member for Tamworth. He entirely concurred in the observations of the right hon. Baronet as to the desirability of appointing a Select Committee; and he did hope that the noble Lord the Chief Commissioner of Woods and Forests would concur in granting a Committee, taking care that it should be composed of elements calculated to give the matter of complaint a thorough investigation, but that no matter should be referred to it relating to any question of further and increased expenditure. He felt convinced that the result of such an inquiry would prove that neither the architect nor the Commissioners of Woods and Forests—neither himself nor those who had succeeded him — had been so wanting in their duty to the House of Commons as, he feared, the House had been wanting in duty to itself and to the country.

Mr. GEORGE THOMPSON felt anxious that the discussion should not close until the House had been brought back to the point from whence it started. His hon. Friend (Mr. Hume), in the observations he had made, had attacked neither the genius nor the integrity of the distinguished individual to whom the erection of the stately pile adjoining had been entrusted. His hon. Friend and himself viewed the present as a question of economy, concerning which the country had a right to know what was doing; and the House had a right to receive a distinct assurance from the Government that no other expenditure than

that which was absolutely necessary to the carrying out of the great design should be incurred. They had a right, also, to know why such a delay had taken place in the completion of the New Houses. His hon. Friend had asked, why a building, which was to be completed in six years, was not complete in ten years, and not in a state to accommodate the parties for whom it was intended? He received no answer from the Government. His hon. Friend had asked that the time required, in addition to that already occupied, should be defined. He received no answer to that request. He had listened with undivided attention to all that had fallen from hon. Gentlemen on the subject; and he could not help being struck by the fact that one party, most deeply concerned in the transaction, had never been even incidentally referred to by the noble Lord (Viscount Morpeth) or those hon. Gentlemen who had followed him—he meant the party who had to pay. He had listened with pleasure to the talent and taste displayed by the hon. Gentleman the Member for Pontefract (Mr. M. Milnes). The hon. Gentleman had referred them to St. Peter's at Rome, to St. Paul's in this city, and to a building which formed one of the chief ornaments of Paris. That was all very well, but it was altogether foreign to the subject. If they went back to the time when the building of the New Houses was decided upon, they would find that the New Palace, as it had since been termed, was to be a building for public purposes. If the design in building the New Houses had been an exhibition of the national wealth, and a development of the national skill, then would the remarks of the hon. Gentleman have been extremely appropriate, and the nation would have been well content to have paid a sum commensurate with the grandeur of the undertaking. But they were told that the New Houses were to cost between 700,000*l.* and 800,000*l.*, and that they were to be completed within a given time. The House wanted to know how that object had been frustrated. On the behalf of those who were called upon to pay—at a period of great mercantile and industrial depression—he asked for an explanation. Would the noble Lord inform the House as to the probable time by which the buildings would be completed, and the probable expense that would be incurred in such completion? Neither the House nor the country had any distinct knowledge as to the causes which had delayed the completion of the buildings. They ought to know who had been responsible for the delays, and to whom the addition to the estimated expense was to be attributed. It was a question of responsibility—a question between the House and the country. At a time when the people were suffering under heavy taxation, and threatened with an addition to their burdens, they were entitled to a more satisfactory answer than had that night been received from the noble Lord (Viscount Morpeth), or his predecessor (the Earl of Lincoln).

Mr. EWART said, he was afraid the debate would be read with great dissatisfaction by the country. With his hon. Friend the Member for Montrose, he, ten years ago, divided against the site chosen for the New Houses. He was then of opinion that the site was objectionable, and that the style of architecture was objectionable on account of its enormous expense. The remedy now pointed out was the appointment of a Select Committee. To that proposition he was decidedly opposed. Committees had been appointed—Committees had sat—and Committees had invariably added to the expense. It often happened that the Government was seized with a cold fit of economy; but Committees were more frequently visited by those warm excesses which had been alluded to by the right hon. Baronet. If a Committee should be appointed, he hoped it would have the desired result of cutting short the enormous expenditure.

Mr. BANKES said, the House of Commons was responsible to the people in this matter; but the Commissioners were responsible to the House. He was surprised that the only remedy proposed by the right hon. Baronet the Member for Tamworth was the appointment of a Select Committee. He could look with no hope to such a remedy. He cordially thanked the hon. Member for Middlesex who had brought the matter forward in the House of Common; and he trusted that in the House of Commons he would keep it. When he heard so much respecting the responsibility of the House of Commons, he would remind hon. Gentlemen that the present was a New House of Commons, and the responsibility for the outlay already incurred did not attach to the House as at present constituted. The House by which the estimates were sanctioned was chosen under different circumstances. It was elected in a time of prosperity, when the

nation was considered able to bear great expenses. It was chosen before the great commercial changes had been tried; before the people had arrived at that depressed state which made them look forward with fear and trembling to the budget that week to be presented. He repudiated the idea that the present House of Commons was responsible for the expenditure—he would urge the hon. Member for Middlesex to keep the responsibility in the House from this time, and have no more Committees. He agreed that Mr. Barry was entirely free from blame. His conduct had been as irreproachable as his plans were admirable. The only reason he had failed was that that House and the Government had placed the building in a situation to which the plans were not appropriate. The right hon. Baronet the Member for Tamworth had spoken disparagingly of Somerset House; but if Mr. Barry's building had been placed in the situation of Somerset House, instead of where it had been placed, it would have been indeed a splendid pile. He would acquit him of increasing the cost or displaying any want of taste. The want of judgment had been on the part of the Legislature and the Government, in placing the new buildings in so low and bad a situation—they might be costly, but they would never be ornamental. He recollected well that the Members before the days of Reform were satisfied with St. Stephen's chapel—now they must have a palace. Since the Reform Bill passed they must be accommodated like princes; but the people must pay for their accommodation, and they might depend upon it that the people would not be very well pleased. The time had arrived when every effort would be made to check the rate of expenditure. He did not agree with the right hon. Baronet the Member for Tamworth that it would be well to concentrate the expenses, and complete the buildings in one or two years. On the contrary, if they were compelled to go on, he should advise them to spread the expenditure over as long a period as possible. When the national resources again exhibited the elasticity so much talked about by some hon. Gentlemen, the public might be content to bear the expense; but at the present moment they neither could, nor would, nor ought to bear it. He remembered the time when the chamber in which they were then assembled was one of the most splendid rooms in the world—that was before the alterations which had, as the hon. Member for Pontefract well remarked, given it very much the appearance of a railway station. But previous to those alterations and improvements, it was truly a splendid apartment. From the tapestried walls shone forth the manly forms of their forefathers, who had stood against the united world and conquered—the heads of great characters, of whom the country was justly proud. They had taken that apartment, they had altered it. Let them keep it, and not put the people to the expense of another House probably less convenient. Under all the circumstances, he should oppose the appointment of a Committee, from a conviction that it would prove a delusion, and that it could lead to no satisfactory result.

Mr. A. B. HOPE was of opinion that the House in which the British Commons assembled ought to be of a character a little more ornamental than the present erection, which had been aptly compared to a railway station. If the New Houses had been completed for 700,000*l.*, with that nakedness of decoration which the first design contemplated, the nation would have been greatly disappointed. The New Palace would have been as much a subject of reproach and disgust as the Treasury had been, and the National Gallery was at the present moment. It was better to complete the building at once, and not leave the task of alteration and re-erection for future years, as had been the case with the Treasury, and would be the case with the National Gallery. Hon. Gentlemen had talked of the distressed state of the country. It was not undertakings like that of building the New Houses, upon which workmen of almost every branch of industry were employed, that would aggravate the national distress. He thought it as good a thing as could be devised to spread the public money over the community, by employing the highest class of artisans on works, the advantages of which would be felt long after the New Houses were completed.

Mr. HENRY DRUMMOND was anxious to see some one man really responsible for such a large outlay. He was not content to see the responsibility bandied about, now with the Treasury, anon with the Woods and Forests, and by the by with a Committee of that House. Let the full responsibility rest with one man, and, in place of being, as now, a shadow, it would be real.

Subject dropped.

NEW ZEALAND GOVERNMENT BILL.

The Order of the Day for going into Committee on this Bill having been read,

The Earl of LINCOLN said: Sir, if it had not been for the impossibility, upon the last occasion when this question was under consideration, of my entering upon that branch of this subject which I am most anxious to have clearly understood, I would not have troubled the House upon the present occasion. When this Bill was before the House previous to Christmas, as well as when it was proposed to go into Committee on Wednesday last, I took no part in the discussion which then arose. On those two occasions the discussion was almost entirely confined to the question of the waste lands in the colony of New Zealand, and the rights of the natives to these lands as affected by the Treaty of Waitangi, and subsequent despatches of the noble Lord Her Majesty's Secretary for the Colonies. How far this Bill was called for—how far it is necessary—are points upon which the Bill has undergone no discussion. I am not underrating the discussion which took place upon the two former occasions—I consider that discussion to have been very important, forming, as it does, a necessary part of the subject; though I cannot but regret that the right hon. Gentleman opposite (Mr. Labouchere) was unable to give a more satisfactory explanation with reference to the despatches of the noble Lord the Colonial Secretary. At the same time looking at the feelings expressed by the right hon. Gentleman who stands here as the representative of the Government in respect to this Bill—looking at the despatches of Governor Grey bearing on these points — looking at these despatches of the Governor, and taking into consideration the fact that the noble Lord the Colonial Secretary has not reprobated the opinions avowed by Governor Grey—I think the House should be satisfied with the explanations offered by the right hon. Gentleman. I will therefore leave this part of the question as it stands, and proceed to that portion of the Bill which affects the popular constitution of New Zealand. The right hon. Gentleman a few days ago expressed his extreme surprise that there should exist any desire for a debate on the Bill. When the Bill was first introduced—so said the right hon. Gentleman—there was such an unanimity of opinion on both sides of the House as to render discussion altogether improbable and unnecessary. I will admit that the utmost unanimity prevailed in the House when the measure was introduced; but I attribute that unanimity not so much to the circumstance that we were about to suspend a constitution granted to New Zealand, as to the willingness of all parties to get rid of this particular constitution. It was unanimously condemned. If it was true, as had been asserted, that this constitution was right in the abstract, it must be admitted that it was erroneous in its form, and too theoretic for practical application. The constitution was universally condemned by the Members of this House, and by every person who knew anything of the subject out of it. There is a general feeling—and in this I entirely concur—that the House ought to correct what has been done wrong; but it is our duty on the present occasion to see if this is the best remedy that can be adopted. I am very unwilling to revert to any part of the debate of 1845; it is sufficient for my purpose that I commence with the accession of the present Government to office. I will simply refer to those debates, and express my ready assent to the doctrine laid down by Earl Grey, in his despatch dated December, 1846. In that despatch his Lordship expressed an opinion that the time had arrived for providing a form of representative government for New Zealand. I, too, declare myself in favour of a representative form of government—not a representative government in the first instance, but the wiser and more cautious mode of first establishing municipal institutions, which might, before long, form the basis of a representative government. And when I speak of municipal institutions, I do not wish it to be understood that I mean such municipal institutions as were given by the noble Earl (Earl Grey) in 1846. They were mere copies of municipal institutions in this country, without any regard to the enormous difference between Great Britain and New Zealand. There was no allowance made for the striking difference which exists between the manufacturing population concentrated in large towns of Lancashire and Yorkshire, and the agricultural population scattered over the whole extent of New Zealand. I consider that the right hon. Member for Coventry, and the right hon. Baronet then at the head of Her Majesty's Government, never intended what they called municipal institutions to mean mayors, town-councils, and burgesses;

that these institutions were merely to form the machinery for paving and lighting; they meant something of a more comprehensive character — something which should in reality be the foundation of representative government. The right hon. Baronet the Member for Tamworth anticipated municipal institutions in this wider and more generous sense, and rightly described them as the germ of representative government. In the discussion to which I have referred, he quoted passages from the works of Burke, which completely exemplify these views. The noble Lord at the head of the Government is an authority on colonial matters; and the noble Lord stated that he considered municipal corporations as a proper and necessary prelude to a representative constitution in New Zealand; and expressly stated that it was not wise or desirable that the colony should jump at once from a state of despotism to one of the most elaborate and fine-drawn constitutions, containing a number of forms hardly understood in a country such as our own. Within a very few months before the granting of this constitution which I am now discussing, so little was it desired by any one in the House, or in the colony, that a petition was presented, from which I beg leave to read a few extracts. It was dated 7th July, 1845, and the petition originated with a number of New Zealand settlers, who were then in England. After a great number of important statements the petitioners prayed that—

"Parliament will bestow upon Her Majesty's subjects in New Zealand, without distinction of race, some such form of government as the chartered constitution which, from the time of Queen Elizabeth down to the year 1829, the supreme authority of this country conferred upon every body of its subjects, not being convicts, who emigrated to plant a colony."

And the petitioners went on to say that—

"In praying your hon. House to devise some means of bestowing representative government on New Zealand, your petitioners wish to express their opinion that, on account of the ignorance, both of the inferior order of the natives, and of the poorer immigrants who fly from pauperism in this country, it is desirable that the local constitution of the colony should be far from democratic, the grand point being that colonists, of whatever class, and not strangers—that is, persons having interests in common with the permanent inhabitants, and not persons coming from a distance merely to enjoy place and salary—should have a real voice in the management of the colony."

Now, Sir, that the constitution granted by the noble Lord was at variance with the terms of that petition, and with the recommendations of all who took part in the debate of 1845, is manifest. I shall be able to prove that it was at variance also with the opinions of those who were consulted by the noble Lord upon the subject. I think it is a matter very much to be regretted that, it being the opinion of the noble Lord that such a complicated form of constitution should be attempted, he should have rushed with such hot haste into it—that thus a temporary constitution has been granted—and that eventually he has interposed a long delay in the way of granting a permanent constitution by the attempt he has made to bestow upon the colony this half-American, half-English form of constitution. I regret that he should have made such extraordinary haste, with so little consideration and so little opportunity of obtaining the opinion of the Governor of the colony upon it beforehand. But, Sir, it was such a beautiful theory, that philosophers at home could hardly help admiring it. The machinery fitted so extremely well, that they did not venture to doubt its power of working smoothly; but when it came to be applied to the place for which it was intended, it was so wholly unsuitable, that it reminded one of the fine machinery of a clock applied to the rough hewing and cutting out of the foundation of a building. Instead of those localised governments which would have prepared the colony for the more refined constitution, the noble Lord attempted at once to establish a constitution which he considered might be applied to the whole colony without distinction. In the first instance, with respect to the franchise, which the noble Lord considered applicable to the whole of New Zealand, it must be observed that the country to which it was to be applied was one where there was a great fluctuation of inhabitants. It was not a country where the natives had become accustomed for a long while to the existing order of things; but a country upon which we had entered only a very few years before, and in which we had only some 14,000 or 15,000 English settlers; where that small body of settlers, too, was fluctuating from one part of the colony to another, day by day. In this colony it was that the noble Lord proposed to establish a franchise upon the basis of what is called household suffrage, but which in that country amounted to universal suffrage. It was established, too, with nothing to act by way of check. There was nothing having the form of

aristocracy. Anything like an aristocracy was wanting. It was essentially an ultra-democratic constitution, and there was no *prestige* about it, such as in older communities conciliated love and respect for established institutions. The constitution was, in fact, without any check; and how was it to be limited? Solely by the ability, or rather by the acquirement of so much learning, as would enable those who received the franchise to read and write English. Now, Sir, I must say if ever there was a plan cunningly devised to produce not friendship but hostility—not to promote but to prevent the amalgamation of the native population with the English settlers—it was this which the noble Lord was in such haste to enact. If ever there was a plan to postpone indefinitely the amalgamation of the two races—a plan most successfully to separate them—it was this. Why, Sir, we have the authority of Governor Grey, in this very book that has been laid before us, that there is not in the entire colony a single native who can read or write English. Some of them speak English, and "the great majority of the native population can read and write their own language fluently." But remember "none can read or write English." How then could this universal suffrage to the English settlers, but which deprived the whole native race of the franchise, produce anything but ill-will between the two races? If anything could excite the jealousy of this jealous people, this was the elaborate and at the same time simple scheme for effecting that object. And the noble Lord was forewarned of it. I have a paper here which proves that there were four leading colonists who were then residing in this country, who gave him reasons of a sound and practical nature, which should have made him pause before sending out that constitution, but which nevertheless seemed to have received no consideration at his hands. They dwell most strongly on the objections to these mere municipal corporations, and insist that they should be of a more governmental character. If they were intended to perform only the functions of some small municipal corporations here, and to attend merely to paving and lighting, they would fail in teaching the people the use of constitutional power; and not only would they fail in teaching the people—not only would they be ineffective—but the colony would obtain functionaries of a very inferior description. Those of the natives of a superior class would decline to work with them. These parties said—

"We are the more impressed with the expediency of some such arrangement, because we are convinced that it is essential to secure in each settlement the services of the leading colonists as officers of its corporation, since those officers are to choose the members for the representative chamber of their provincial assembly. The colonists who are the most fit for this important trust might be unwilling to exercise it, if with its exercise were coupled the necessity of acting as common councilman or alderman of a borough, confined in its powers like those of England and Wales."

And they further said—

"If the officers of the corporation are to perform duties such as those of an alderman or common councilman of an English town or borough, we object strongly to their having a voice in choosing members for the provincial house of representatives, because, as we before stated, the best colonists will not have consented to perform the ungenial duties in order to secure the vote. But if the 'municipal corporation' possess the 'township' powers which we have above recommended, its offices would confer sufficient dignity and importance to induce the best colonists to accept them; and they, being the *élite*, as it were, of the general body of electors, might, without disadvantage, be empowered to select the representatives. We approach the question of franchise with some diffidence, because we are unaware how far our views as to the large local powers necessary for the 'municipal corporations' will be agreed to by Her Majesty's Government. We should, however, be unwilling to give an opinion as to what qualification would secure success to the scheme if the municipal corporations were to have only the powers of bodies which bear that name in England and Wales, because we should conceive that the functions of such bodies were totally distinct from those of choosing a representative."

I will not read any farther extracts upon this point. I have read enough to show how anxious these colonists were that the municipal corporations should have a more extended form; and that if the noble Lord persisted in maintaining them in the position he proposed, there should be a differently formed constituency for the election of the elective body. The plan proposed by the noble Lord was, that these municipal corporations should be appointed by the Governor in various parts of the country, with powers like those possessed by similar bodies in England. These municipal corporations were to consist of a mayor, aldermen, and burgesses, as in England; and, as in the old corporation system in England, in some of the boroughs, the Parliament of New Zealand was to be elected by the mayor, aldermen, and burgesses of the new corporations. That was to be the constitution of the two re-

presentative bodies. From these two councils the Governor was to elect members of the principal legislative council; and these two bodies were to elect the members of the general assembly. So that this infant colony was to commence with—first, English corporations; then two provincial assemblies; then two legislative councils appointed by the Governor; and, as the apex of this constitution, another general legislative council selected by the Government, and one superior elective assembly. The system was altogether too complicated for an infant colony. I have already alluded to what were the opinions of all practical men as to the franchise. The gentlemen to whom I have referred, who delivered to the noble Lord the protest against the constitution, declared upon the question of the franchise, that—

"We are of opinion that, at any rate in the existing settlements, and for the present, it would be very dangerous to extend the franchise too much by making the qualification for a voter too low, trusting to a higher qualification for the person to be elected. This arrangement allows mischievous and intriguing individuals, who have no difficulty in providing themselves with the higher qualification, to obtain the suffrages of a low and comparatively ignorant class of voters through bribery or other corrupting means."

Did these gentlemen speak without experience on the subject? Did they fear without adequate reason that bribery would be tried in the form in which it exists in this country? Why, they had already found out that the evils they spoke of were not merely in anticipation, but that they already existed. And this striking example is given—an example that might excite some amusement, but from its similarity to many other scenes within the knowledge of the Members of this House:—

"A remarkable instance of this occurred at the election which took place at Wellington in October, 1842, for the officers of a corporation which possessed very limited powers. Every male adult, who chose to pay 1*l.* sterling to have his name registered, was privileged to vote; and any voter was qualified for election. 350 persons obtained the franchise; and of course the small sum of money was paid for many of them by parties who wished to secure their votes. In one case, a committee for the election of certain persons had given 25*l.* to a colonist who had great influence over a number of Highland labourers, in order that he should register 25 of their votes, and make them vote for the committee's list. The leader of the opposing candidates, however, knew the laird's failing—set to drinking with him at breakfast time till he had won his heart, and then marched reeling arm-in-arm with him to the poll, followed by the 25 Highlanders, who were in the same state, and who all voted for the man who had so disgraced himself and them."

But, after all the warning he received, the noble Lord persisted in his course. Well acquainted with the scenes which take place in this country upon such occasions, the noble Lord imports them into New Zealand, notwithstanding the warnings which were given. I shall only point out one other subject which those gentlemen objected to. They suggested to the noble Lord the extreme difficulty he would find in limiting the franchise, after it had once been given. They told him that, once conferred, it would be utterly irretrievable. They said—

"It is also of importance to observe there is great difficulty in restricting a franchise once established and exercised, while there is comparatively none in extending it; so that a fault on the side of fixing too high a qualification will be easily remedied, but one in the opposite direction will be almost irretrievable."

But whether irretrievable or not, the noble Lord has attempted to retrieve it, as appears by the despatch to which I shall presently refer. But there is another and no trifling evil, consequent upon the haste of the noble Lord in despatching this constitution to New Zealand. A greater or stronger ground of complaint cannot be made against a Colonial Minister than that he should be guilty of anything like a breach of faith with the colonists, or that such a charge should be even colourably established against him. Now the colonists complain that they have been deceived by the noble Lord. At the time the noble Lord succeeded to power there was a body of emigrants preparing to leave Scotland for New Zealand; and with these persons it was a *sine qua non* that they should be allowed to try the effect of municipal institutions in that country. They were connected with the Free Church of Scotland; and the colony, I cannot help thinking, was one which was so constituted as to be likely to pave the way to a sound system of colonisation. Nothing can be a greater spur to a system of sound colonisation than for the colonists to secure to themselves those means of religious instruction and assistance to which they have been attached and which they have left at home. Well, Sir, these colonists made their preparations to leave their country in a large body, and settle at Otago, under the direction of Captain Cargill; and one necessary preliminary with them was the granting them a representative constitution. As soon as they found the Bill which the noble Lord introduced in 1846 had passed, they applied to the Colonial Office to know whether this to

them essential constitution would be granted to them? They received an assurance that it would be granted and sent out to them. And with that assurance they have gone. [Mr. Aglionby: They are now on the sea.] The hon. Member for Cockermouth says they are now on the sea. They have gone out upon the faith of that promise that a representative constitution should be granted to them. And the first thing they will learn on their landing in New Zealand is, that by direction of the noble Lord at the head of the Colonial Office that constitution, on the faith of which they left this country, is suspended for a period of five years. [Mr. M. Milnes: Their settlement is on the southern island.] My hon. Friend the Member for Pontefract says they have gone to the southern island. I am perfectly aware that they have gone to the south. But let my hon. Friend read this Bill. If he attends to the question he will know that the constitution is suspended in the southern as well as in the northern island. Upon the faith of that constitution which is now suspended they have left their country, and upon their arrival at their settlement they will find that it is all null and void. When I call this a breach of faith, and attack it as such, I do not mean to use the word in an offensive sense. But the colonists have in fact and in substance been deceived. The representations which have induced many persons to go to Otago with Captain Cargill have not been fulfilled. I know not whether the advertisement I hold in my hand, and which contains some of those representations, was inserted with the knowledge or approval of Her Majesty's Government, or by the New Zealand Company. That Company, however, is sufficiently represented in this House to be able to take care of its own interests. But these poor Scotch colonists should not have been placed in this anomalous and unfair position, whether they were right or wrong in insisting on these institutions being granted previous to their departure. Well, Sir, the constitution was sent out, and Governor Grey at once condemned it as impracticable. It was a plan which would not work; and upon the receipt of that report the Government introduced the present Bill. How does the Government deal with this constitution that was condemned before it went out—that was condemned in this country—that was condemned in the colony—for I have seen New Zealand papers in which it was condemned; and I say that the right hon. Gentleman opposite cannot contradict me when I say that it was complained of in the New Zealand papers—that it was universally complained of. Well, Sir, this universally condemned constitution—condemned even by the Governor himself—what does he mean to do with it? To repeal it? No; but merely to suspend it for five years. And if I could imagine the result would be eventually its repeal, or if I could imagine that the time would be devoted to considering and remedying its defects, and finding a plan more suitable to the wants of the colony, I might be contented. But this process of mere suspension I do not approve of. It implies the approval of this constitution in the abstract. It implies that the constitution is a good one, and that it may at some future time come into operation. Now, I cannot contemplate after all the noble Lord has heard, that he can think it would be ever fit to be brought into operation. Would it not, then, be better at once to confess that the Government was wrong in sending out such a constitution—to repeal it at once—and to provide such a constitution as the colony has a right to expect? My object in proposing to repeal it is not to deprive the colony of a constitution. I think that, instead of the constitution that was sent out, one more suitable should have been devised, conferring those municipal institutions which might form a basis of free government, and prepare for the adoption of a fuller constitution. But I say it would be far better now to repeal the present one, and restore the colony to its former condition, and prepare a more suitable constitution for it. I do not know that it is necessary for me to point out the opinion of the Governor with regard to the fitness of the colony for receiving a representative constitution. He states that he knew of no circumstances to prevent the introduction of such institutions into the settlements in Cook's Straits and the Middle Island. But the right hon. Gentleman proposes by this Bill to suspend the constitution in both parts of the colony, and I do not think he has given any very valid reason for suspending it in both islands. He merely grounds his reasons upon the vague suggestion of uniformity, and thinks it would be better to suspend it in both parts than only in one. I cannot help thinking that, after all, the noble Lord thinks it himself so bad that it would be better to repeal it altogether. I am decidedly in favour of its repeal as regards the whole colony, and the immediate consideration of and granting a suitable constitution, to the southern part

of the colony at least, as soon as possible. In a despatch dated October 7, 1846, Governor Grey said—

"I am not at present aware of any circumstance which need, then, prevent the immediate introduction of representative institutions into that colony, which would comprise the settlements in Cook's Straits and in the Middle Island. All questions of a vexatious nature between the Government and the settlers in that part of the colony have now been finally set at rest; and, with a considerable acquaintance with British settlements, I can have no hesitation in recording it as my opinion that there never was a body of settlers to whom the power of local self-government could be more wisely and judiciously entrusted than the inhabitants of the settlements to which I am alluding."

Now I will not read those parts of Governor Grey's despatch, which treat of the inapplicability and inherent vices of the new constitution. Having expressed my own opinions I need not repeat those expressed by him, which entirely coincide with mine. But I trust this system of uniformity will not be made a ground for persisting in the present course, for I cannot help pointing out to the House that long before this Bill now before us can have possibly arrived in the colony, the constitution, bad as it is, will have been established in the southern portions. I alluded just now to the giving of a temporary substitute for a constitution. When the present Government succeeded to power, the right hon. Gentleman opposite, who is now Chief Commissioner of the Poor Law Board (Mr. C. Buller), was said to be about to take on himself a kind of amateur position in the Colonial Office. If such was the case, I should be almost inclined to attribute to him the production of this temporary constitution, and to think that he had, forgetting his former character of a director of the New Zealand Company, been cutting a joke after the fashion for which he was at one time so famous, at the expense of the New Zealand colony. For I never met anything wearing a more facetious appearance than this burlesque constitution, grafting as it does members nominated by the Governor on elected members in a legislative council, and forming altogether a device which seems to hold out to the colonists the semblance of representation, whilst retaining the substance of power in the hands of the Government. By the present course of proceedings, I think you are attaching a very unfair responsibility to the Governor. You place him in this position: If he thinks that the colony is unfit for any form of representative government, he is to suspend this constitution according to his own discretion—he is to carry out your legislation at his discretion—so that the whole responsibility, legislative and arbitrary, is to be thrown upon him. But I think that the great objection of all is the uncertainty in which these changes will place this unhappy colony. You began by sending out a fine new-fangled system, based on what I may call the ascending principle, while we are now called upon to proceed with the descending principle. At first we had a system gradually ascending through the legislation of a provincial legislative assembly, a provincial legislative council, up to a general legislative assembly, and a general legislative council, and culminating with the Governor Whereas now you are about to give the whole power in the first instance into the hands of the Governor, and to authorise him, acting with the authority of his legislative council, to grant, if he thinks fit, to those who are not otherwise entitled to it, the elective franchise to the legislative council. I am bound, however, to say that the noble Lord at the head of the Colonial Department appears to me to be fully aware of the inconveniences of this course which he recommends. He distinctly expresses himself to that effect in the despatches; and I think the right hon. Gentleman (Mr. Labouchere) will have some difficulty in showing that the course proposed is in accordance with a sound system of self-government—that this plan of delegating to the Governor and Council the entire authority of granting or withholding those institutions is a necessary step, or in fact is one that will not impede instead of assisting the result which we are all anxious to attain. I have already alluded to what appears to me to be the unfair responsibility that is to be thrown on the Governor. These are the words of the noble Lord, in which he alludes to the nature of that responsibility:—

"With the insight which former despatches have given you into the views of Her Majesty's Government, and with your own knowledge of the requirements of the community under your charge, you will be able to carry into effect these general directions, so far as their execution depends upon yourself. For instance, if when you receive this despatch you should have already constituted the provincial assembly of New Munster, the powers of that body will be inevitably arrested for the present by the operation of the Suspending Act. In that case you may consider it advisable that the legislative council should exercise the powers conferred upon it, by keeping on foot the already constituted provincial assembly, and conferring on it those powers of legislation which would belong, according to the plan explained above, to the provincial legislative council. If, no the other hand, the provincial assembly of New

Munster should not have been already constituted, you may consider it advisable that the legislative council for that province should contain, nevertheless, some admixture of representative members, which you may deem it best to withhold from New Ulster. Lastly, should you, for any special reasons, esteem the establishment of provincial councils premature, and that the legislative functions of the general council are sufficient for the wants of the colony during the interval which is to elapse before the charter comes into effect, you can exercise your discretion on this subject also."

So that after laying down various different principles, he throws the whole responsibility on the discretion of the Governor, who is at the same time fettered with a declaration of opinion as to what is probably the best course to be pursued. Now I, for one, do not object to leaving great responsibility with the Governor; but I think that the noble Lord ought in the first instance to have left that responsibility with the Governor, with a view to his recommending what course he thought was most practicable and advantageous to the colony. What I complain of is, that the responsibility should be given in this way—in a way which may place the Governor, when these despatches are promulgated in the colony, in the position of being either forced to perform what he believes to be his duty against the wishes and views of the inhabitants, or else of neglecting his duty, in order to accede to their wishes. I began, Sir, by stating what I think are the objections to the basis of this complicated representative system; and though this matter is not touched on very largely in the Bill, yet I find that the noble Lord appears to have seen the error of his ways on the subject, and that he has entirely withdrawn this portion relating to the franchise for the municipal corporations, which had been so strongly objected to by practical men before the constitution first left this country. I find by the 5th Clause of this Bill—and here I may remark that the clause gives a most unfair and unsatisfactory power to the Governor—that it is provided as follows :—

"And whereas by the said first-mentioned instructions the said Governor-in-Chief was directed to divide certain parts of the said islands into municipal districts, and to constitute within such districts municipal corporations, consisting of a mayor, court of aldermen, and common council, and of burgesses possessing the qualification prescribed by the said first-mentioned instructions in that behalf; and whereas it is expedient that the said qualifications should be subject to regulation as hereinafter mentioned; be it therefore enacted, that it shall and may be lawful for the said Governor-in-Chief, from time to time, by and with the advice and consent of the said legislative council, by ordinance, to depart from the said first-mentioned instructions, in so far as the same relate to the nature and extent of the qualification, and to make and ordain such other or further rules and regulations, with respect to the nature and extent of the qualifications for burgesses in the said municipal districts, or any of them, or in any particular case, as the said Governor-in-Chief, by and with the like advice and consent, may think proper; anything in the said first-mentioned Act, letters patent, or instructions to the contrary, notwithstanding."

So that, as explained by the despatch of Earl Grey, which I shall now read, the power is given to the Governor of regulating the franchise itself. Earl Grey says—

"That franchise is vested by the charter in every male person occupying a tenement within a borough. It is now proposed to confine it to tenements of such value as the legislative council may fix as qualifying to vote. The franchise is also by the charter made subject to the following restrictions: That it is not to be enjoyed 'by any person not able to read and write in the English language.'"

Now, the noble Lord seems wedded to this most extraordinary provision in a rather unaccountable manner. It is the only one, I believe, of the original regulations that has not been rescinded either by the Act of Parliament or by the instructions which the noble Lord has sent out to the Governor; but instead of rescinding this provision, as I think the noble Lord would have acted most wisely in doing, he has, in order to retain it, regulated the franchise in a manner which in this country would be looked upon as most unconstitutional. The noble Lord goes on to say—

"I have, upon the whole, thought it best to advise not that this charter should be altered by removing this restriction, but that you should have a discretionary power to dispense with it. You will therefore be empowered to grant to such persons as you may consider to deserve that privilege, certificates that, although they may not be able to read and to write the English language, they are good and faithful subjects of Her Majesty, possessing the intelligence necessary for qualifying them to take a part in the administration of local affairs; and the possession of such a certificate will entitle the occupier of a tenement of adequate value, though he may not be able to fulfil the condition of reading and writing the English language, to be placed on the register of the borough, and to exercise his franchise."

So that except as regards these two points —the amount of money qualification which is to constitute a vote, and the qualification as to reading and writing the English language—the power is given to the Governor, the representative of the Sovereign in the colony, to regulate its franchises as he pleases. He may grant or refuse licenses to vote as he pleases; and though, if Go-

vernor Grey chooses to exercise this discretion, there is no doubt but that it will be exercised wisely and well, still I would remind the House that Governor Grey is not immortal, and that this measure is to be carried out when a Governor less experienced is to succeed him. It is to be acted upon also, it appears, by the Lieutenant Governor of the colony, who, though no doubt a man of ability and judgment, has not had an opportunity of displaying the same intelligence and skill as Governor Grey. I think it is therefore most unwise to give such a discretion to any one man. I now, therefore, turn again to that which I believe to be the proper remedy, both for the original error and for the defects of the constitution. I return to that point with which I started, and I again repeat, that with a view to speedy and effective legislation on this subject, I think it would be far better to withdraw this Bill altogether; to bring in a Bill with a single clause repealing the Act of 1846, and then to bring in another measure, with a view to legislate on sound principles for the southern province, and ultimately for the northern province, providing for them such a constitution as would give satisfaction to the colony, and enable the Governor to fulfil the duty which devolves upon him. It is certainly not my intention to suggest to the right hon. Gentleman any amendments that should form part of that enactment, or to point out any omissions. In this course I am acting in conformity with the example set by the noble Lord, who, when he sat on this side of the House as Lord Howick, recommended the course to the House which I now take. I agree with the noble Lord on that occasion, that I think it is desirable for us when we think that what has been done is wrong to condemn the past; but that it would not be wise for any individual Member of this House to suggest what precise course it is best to take with regard to the future. I therefore confine myself simply to those recommendations that I have already thrown out, being confident that the course I recommend is most likely to attain ultimately the object at which we all seek to arrive. I feel that I have most imperfectly brought the subject under the consideration of the House; but at the same time I have this justification, that I have not made use of some of the documents with which the noble Lord has provided us, for I cannot but feel that the colony was in a very critical position at the time the late despatches were sent, and I, for one, would be sorry to do anything that might complicate the difficulties that exist, instead of removing them. If, therefore, I have but imperfectly pointed out the evils which I apprehend from the course that has been pursued, the House must attribute my failure, in the first place, to my own inability, and, secondly, to my unwillingness to allude to matters which might aggravate the difficulties of the colony. I can assure the right hon. Gentleman, that though I have felt it to be my duty to comment severely on the errors which I think the noble Lord committed in framing the original constitution, I have not done so in any other spirit than a sincere desire to see these errors corrected. And let me implore the right hon. Gentleman—whether he consents to my proposal or not—whether he and the noble Lord at the head of the Colonial Office should on reflection consider it better to repeal this constitution rather than suspend it, or not—let me implore of them, as they value the peace of this colony, as they value the well-being of those who have left this country under the faith of the promises held out that representative institutions would be accorded to the colony—of those who have gone 16,000 miles from their homes, and who are living at this moment in a state of the greatest suspense on that subject which is most painful to all men—namely, under what system of government they are for six months more to exist—I say, under all these circumstances, let me implore of Her Majesty's Government to take this question into their most serious consideration, and not remain contented with five years' suspension of the constitution, under the belief that they may wait for these five years before they again take the subject under their notice. I do hope, as regards the interests of this important colony—which has been rightly characterised in this House as one of the most interesting that this country has ever possessed—that Her Majesty's Government will take into their most serious consideration, not this constitution, but one much more suited to the colony, and much more likely to conduce to its permanent interests and to promote the welfare of thousands who, under a well-considered and beneficent system of Government, will in future years carry to its shores the feelings and hopes of Englishmen.

MR. LABOUCHERE: I can assure the noble Lord that if I do not follow him at any length into the topics to which he has alluded in the address which he has just delivered to the House, it is from no

discourtesy towards him, and from no want of feeling of the great importance of the subject which he has brought under the attention of the House; but it is because I feel that many of the matters which he has introduced can be best discussed in Committee, and also because I have addressed the House before on this question; and I now feel that if the whole of our time be spent before we go into Committee, we can have no hope of making—as I trust we may be able to do—some progress with the Bill in Committee. The noble Lord adverted, in the first instance, to the land question, and said that the statement which I made on the subject on a former occasion was not sufficiently satisfactory to him. I have no wish to revive that discussion; but I am ready, if the noble Lord and hon. Gentlemen who took part in that discussion wish it, to assure them, as I am prepared to do on the part of my noble Friend, Lord Grey, that he is convinced, both from the despatches of Governor Grey, and from private letters from that distinguished person, that there is not the slightest difference of opinion between them with regard to the claims of the natives to land—that, to the best of his belief, they are acting most cordially together on this subject; and I may take the opportunity of reading an extract from a letter from a missionary in New Zealand, which has been entrusted to me by my hon. Friend the worthy Baronet who represents South Essex (Sir E. N. Buxton). It says—

"In my last I told you that I had had an interview with Governor Grey on the subject of the instructions lately sent out here by Earl Grey in reference to the waste lands of the natives; and that his Excellency had told me that he considered those instructions as referring only to such lands as have no claimants, and not in any way touching the Treaty of Waitangi."

I wish also to take this opportunity of stating to the House, after having on a former occasion stated that it was my painful duty to say that I could not altogether acquit the Bishop of New Zealand for the course which he had taken on a question which was then under the notice of the House, though at the same time I joined fully in all that had been said of the high character and services of the right rev. Prelate—having made that remark then, I am now very glad on this occasion to express, on the part of my noble Friend and of myself, the gratitude we feel to the right rev. Prelate for the exertions which he has recently made in settling the claims to land on the part of the missionaries, which were causing the greatest peril to the colony. I believe that the settlement of these claims has been effected mainly through the exertions of the Bishop, and that the dispute has now been brought to a satisfactory conclusion. I shall now address myself to the main part of the speech of the noble Lord; and, without adverting to details, I will proceed at once to what he considers to be the main objection to the course which Her Majesty's Government now pursue—I mean the part of the noble Lord's speech which consisted of a reprobation of the constitution. Now, considering that this is a Bill to suspend that constitution, I certainly do not think it is necessary to enter into a controversy with the noble Lord on that question. If the time and occasion warranted, I think I could show that the constitution is not open to all the objections which the noble Earl has raised against it. At the same time I think, from the letters of Governor Grey, that it is not fitted for the colony at the present period. That, too, is the opinion of my noble Friend. My noble Friend has been blamed for having ever sent out to the colony such a constitution. But I would beg the House to remember the very difficult position in which my noble Friend was placed. He took the Colonial Seals at the very end of the Session; and finding a strong call made for free institutions for the colony, and finding that it was the opinion of his predecessors that such institutions ought to be established, is it surprising that being thus obliged to bring forward the Bill at the end of the Session, it should be found ultimately not to be altogether suited to circumstances, which, I must say, were most complicated and difficult? But as soon as my noble Friend became convinced of his error, he at once readily retraced his steps. He told Governor Grey that he would introduce a measure into Parliament to suspend the constitution; and that very measure I have now the honour to submit to the House. And, by the way, it is remarkable that the noble Lord should have said that this constitution was blamed by every one in this country when it was sent out, and yet that another of his complaints should be that we have broken faith with a most respectable body of shrewd Scotch settlers, who went out to the colony under the faith of enjoying the blessings of this constitution. [The Earl of LINCOLN said *a* constitution, and not *this* constitution.] They, at least, were an exception to that censure which the noble Lord now believes

was universally felt. These Scotchmen, judging here, thought that these were institutions which they should wish to live under. [The Earl of LINCOLN : They went out after the constitution was promised, but before the details were announced.] These emigrants are now on sea, and they left this country after the constitution was promulgated; and the argument of the noble Lord was, that the present line of proceeding was, therefore, a breach of faith with them. While they were here they believed that the constitution was a wise one, and well suited to the circumstances of the country; but when they get there, and find that it was not so suited to the colony as they had anticipated, they will not quarrel with us for giving them other institutions more suited to the country to which they have gone. But I apprehend that there is no difference between the noble Lord and Her Majesty's Government as to the propriety of not carrying this constitution out at present. Looking to the position of the islands with which we have to deal—to the feelings and the interests of the intelligent, warlike, and active race forming the aboriginal population, and which have been so fully set forth in the despatches of Governor Grey—I think we are all agreed as to the propriety of suspending the constitution for the present. But the noble Lord recommends that the constitution should be repealed, and a Bill embodying free institutions at once introduced. I altogether differ from the noble Lord as to the propriety of this course. I believe that the course suggested by Her Majesty's Government, although I admit it to be an unusual one, and one which gives great unconstitutional powers to the Governor, is on the whole the safest, the wisest, the most prudent, and best calculated to lead to the result which the noble Lord and myself have equally in view; namely, giving both to the natives and to the British settlers free institutions as completely and speedily as is consistent with their own safety and interests. I believe this object will be attained more safely by the means which we propose, than by those which the noble Lord suggests. It is true that we propose to suspend the constitution for five years; but we do not propose altogether to repeal it, because we think it is right that this House, having given free institutions to the colony, should not part with that power which it has over the Executive Government under its Act, and which, I think, it is due to the House to retain on an occasion of this description. But I believe that the power given to the Governor and Council—for it is to the Governor, acting with the concurrence of his Council, and not to the Governor alone, that the power is given—will afford the best and safest means of preparing the population of New Zealand for those institutions. Under the powers given, the Governor can introduce these institutions as speedily or as slowly—with as little or as much of the popular element—as he thinks fit; and I think it is a wiser plan to entrust such a discretion to such a Governor as Governor Grey, than for ourselves to attempt the difficult, I had almost said the impossible, task of arranging the safest and best system for the mixed races that inhabit the colony, without any apprehension that we are furnishing not the means of peace and security, but the weapons of discord with each other. But the noble Lord said, "Give free institutions at least to the southern province;" and I think that some of my hon. Friends who are connected with the New Zealand Company, cheered the suggestion. Governor Grey certainly states that the southern portion of the colony, where the majority of the population are whites, and the aborigines few, is fit for a constitution; but, even with regard to this part of the settlement, it is better to leave a discretionary power to the Governor. By the last accounts it appears that, though peace is restored to the north of the island, it is not wholly re-established in the south. It is stated by Captain Grey that the people of the south are ripe for free institutions, but not for that form of them given by this constitution. He says in his despatch—

> "I think it right to mention that, even in the south of the island, I did not contemplate immediately so extensive a change in the constitution of the colony. I thought a Council, over which the Governor presided, composed of official and non-official members, the last elected by the inhabitants, would in the present circumstances of New Zealand have been the form of government best suited to the wants of the people."

This is just the sort of constitution the Governor will have the power of introducing immediately in the southern part of New Zealand. The noble Lord has termed it a hybrid, an un-English constitution; but it is one not unknown to our colonial policy. I do not defend it as a good permanent system of government, but it is not a bad preparation for it. I am astonished to hear the noble Lord make this objection, as I believe he was a Member of the Cabinet when Lord Stanley sent out

just such a hybrid constitution for the colony of Newfoundland, after he had suspended a more popular one. It is very much the kind of constitution that obtained at an early period in the colony of Guiana —it is the sort of constitution that exists in New South Wales—it is, therefore, not unknown to our colonial policy. The Bill will empower the Governor, in the first place, to increase the number of his legislative council; it is thought desirable that he should be able to surround himself with men of the best experience in the colony; the Governor and Council thus reinforced will be enabled, though not obliged, to constitute, for one or both divisions of the island, provincial councils with as much or little of the popular infusion in them as they may think fit. The noble Lord attaches great importance to the development of municipal institutions, as a fit preparation for the exercise of political rights. The Bill does not interfere with the establishment of municipalities; they will still be formed, and give the people the preparation desired. Having stated the reasons why the course recommended by the Government is preferable to that suggested by the noble Lord, which I felt bound to oppose, some other topics adverted to will be better discussed in Committee. It is of such importance that a decision on the Bill should be come to immediately, that I hope the House will not delay its progress beyond the time absolutely necessary for its discussion.

House in Committee.

On Clause 4,

Mr. GLADSTONE quite sympathised with the anxiety expressed by the right hon. Gentleman opposite that they should proceed with the Bill in Committee, and therefore he did not mean to trouble the House with any amendment upon the clause; but he wished to point out some things which appeared to him extremely defective in the framing of the Bill. In the first place, the Bill was defective with regard to the suspension of the constitution rather than its repeal. The right hon. Gentleman defended that arrangement, upon the ground that, having held out to the people of New Zealand the brilliant prospect of free institutions, they ought not to do anything that would tend to raise a doubt of the intention to carry that prospect into effect at the earliest possible moment. He could not say that he thought the passing of the Bill of 1846 had done much towards the carrying out of free institutions in the colony of New Zealand. The principle of granting free institutions had certainly made great and rapid progress in this country; and it was the conviction of all those who were conversant with colonial affairs, that the more they examined them, those institutions, wherever there were not strong reasons of a peculiar kind to be urged against their immediate application, afforded by far the best chance for the happiness and prosperity of the colonies. But he could not think that the Bill of 1846, in the circumstances under which it was conceived and passed, and under the circumstances now attending its suspension, had really done anything to promote free institutions; but on the contrary, that it had rather disparaged them. He did, however, not rest his argument upon that alone. He thought the House could not fail to perceive, from the letters of Governor Grey, that the promulgation of the constitution of 1846 had of itself been a serious cause of danger to the peace of the colony. Great apprehensions had been created in the mind of the native population by the promulgation of that constitution. Whether it was owing to a general idea among the aboriginal inhabitants that the constitution would place power in the hands of the settlers, in a degree which would make it dangerous to them, or whether it was owing to their exclusion from its benefits by the provision with regard to reading and writing the English language as a condition for the franchise, the House could not help admitting, as a matter of fact, that the promulgation of the constitution had been a source of danger to the peace of the colony; and he was also afraid that the suspension might tend to leave some excitement and alarm still menacing the peace of the colony. And although he granted, that upon a balance of the advantages, they might wish to retain the constitution after it had been sent back, rather than abolish it, yet he confessed that, adverting to the immense importance of tranquillising the native mind, it would have been the wisest and most practical course to have repealed the Act of 1846, which was confessedly premature, and to have waited until circumstances were ripe for the constitution. With respect to the clause which enabled Governor Grey to devise institutions that were to stand in lieu of the institutions of 1846, he did not at all disapprove of what appeared to be the intentions of the Government by this clause. They intended to empower Governor Grey to create

provisional institutions, into which they esteemed it probable he would introduce, so far as the southern province was concerned, some infusion of the electoral principle. He thought that under this clause the Bill threw a greater responsibility upon Governor Grey than he ought to be charged with; and, after all, this was not the measure for which Governor Grey had asked. Governor Grey had not requested the Executive at home, nor had he craved from Parliament, to have placed in his hands a discretion with regard to the whole of New Zealand; upon the contrary, it had been his object to describe as clearly as he could to the Government at home that he wished it would take a portion of the responsibility out of his hands, and by enactment would fix, to a certain extent, the course he should pursue. For these reasons he had pointed out, in several despatches, that he considered there ought to be a postponement of any perfect development of free institutions for the whole island; that for the northern division there should be a legislative council of official and unofficial members nominated by the Crown, and for the southern division a legislative council, in which, besides the official and nominated members, there should also be a certain proportion of elected members representing the people. Instead, however, of proceeding in connexion with the request of Governor Grey, they did not take the responsibility upon themselves, but they made over to him the power of deciding, upon his own free and pure motion, upon the whole question. This was very different from what Governor Grey had expressly requested; and whatever the House did, they must not think that by this Bill they were doing that which Governor Grey had asked. Governor Grey had not asked for an uniform measure with regard to the whole colony: he had pointed out a broad distinction between the condition of the northern and the southern portions, and requested the Secretary of State, and through the Secretary of State the British Parliament, to conform their proceedings to the distinctions he had pointed out. The House, on the contrary, was going to say, "We will not recognise your distinction," or, at least, "We will throw upon you the responsibility of carrying your views into effect; and if there is to be a distinction between the legislative and constitutional state of the northern and southern divisions of the colony, you alone shall make it." He (Mr. Gladstone) doubted the wisdom of that course. He conceived the Government would have acted more wisely in a case like this, seeing that after all the Bill was to be a confession of impotency, if they had lent to Governor Grey the support and the stay of their own authority, for which he had asked. Governor Grey, as he had already said, did not wish to have the power which this Bill would give him. At all events the House was about to repose a great deal of confidence in him, and he did not mean to say that confidence was too great; but by means of it they would place him in a situation of greatly enhanced difficulty.

Mr. LABOUCHERE confessed that he was unconvinced of the practicability of the course suggested by the right hon. Gentleman. He begged the right hon. Gentleman to recollect the circumstances under which the colony was placed at this moment, and the state of things which might exist when the Bill arrived. Governor Grey might already have promulgated the new constitution in the southern division. Supposing that he should have carried those provisions into effect, and that they were working to the perfect satisfaction of all parties concerned, how inexpedient would it be to send out a Bill from this country to overturn all that had been erected, and to substitute something else to the dissatisfaction of the inhabitants? It was much better, therefore, under all circumstances, to throw the whole responsibility upon Governor Grey, than for the Government in this country to undertake themselves to lay down institutions which after all might be temporary. All agreed they were not prepared to legislate upon that ground; but as they were now dealing with merely temporary institutions, it was much more wise to allow them to be moulded by one who was upon the spot, who was enabled to judge of the circumstances, and who knew the feelings of the inhabitants to whom they were to be applied. On these grounds he thought the course suggested by the right hon. Gentleman inexpedient. Nor did he think there were any real grounds for the alarm which the right hon. Gentleman had expressed if the constitution was suspended for five years rather than repealed altogether. Undoubtedly upon the arrival of the constitution in New Zealand there was considerable alarm as to its effects on the native inhabitants; but by the efforts of Governor Grey that irritation had greatly subsided, and he doubted not that when they saw these temporary institutions es-

tablished in a manner likely to conciliate their apprehensions, and the circumstance of the constitution being only suspended and liable to come into operation in five years hence, the apprehensions of the right hon. Gentleman would prove not well founded.

Mr. DISRAELI said, the point raised by the right hon. Gentleman related to the warnings the Government had received; and the question was whether, after those warnings, they would pursue a course exactly the reverse to that which had previously been followed. In a manner the most remarkable the Government of the metropolis sent out a constitution to a colony; and he believed that constitution had never been put into practice. According to the account of the right hon. Gentleman (Mr. Labouchere) a Government in this country was hastily formed, and it found a considerable demand for liberal institutions, and constitutional institutions in a very distant colony. Without much consideration, and in avowed haste, a constitution was drawn out; it was sent to that distant colony, but it had never, he believed—happily for this country and happily for the colony—been put into practice, through the prudence of an extremely judicious Governor. The Government at home recognised immediately, upon his representations, the extreme absurdity for which they were responsible; and what remedy had been proposed by the Government after the warning they had received? Why, the remedy was this: it was to pursue a course exactly the reverse of that which Governor Grey recommended, and to throw the entire responsibility upon the local government, and not upon the Government at home. Everybody in that House recognised the great ability of Governor Grey; but that was an additional reason why they should assist him in every possible manner by sharing the responsibility with him, and not laying the consequences of every step upon his shoulders. No doubt, in a colony circumstanced as New Zealand was, it would be of the greatest importance to Governor Grey, in gradually introducing and watching the development of constitutional institutions, that whilst he himself personally sought to concede much to the wants and wishes of the inhabitants, he should still have the power, upon many important points, of being able to acknowlege a limited authority, and to refer to the supreme authority of the metropolis. Of all this, however, he was deprived. Astonished at the absurdity they had committed—precipitately almost acknowledging the mistake which was the consequence of their original precipitated action—the only remedy of the Government was to select the man whom they ought never to have placed in such a painful position, and invest him with powers which would render the fulfilment of his duty, and the carrying into effect a policy advantageous to the metropolis and to the colony, more and more difficult. He must say that in this case a great effort was made by the Government to conceal and to pass over their original sin upon this question; and he thought the country was extremely obliged to the noble Lord the Member for Falkirk (the Earl of Lincoln) for bringing it forward. He could easily understand the feelings of the noble Lord in permitting the Bill to go into Committee. The sympathy of official reminiscences might have induced the noble Lord to take that course. But let the House clearly understand the position in which the question was placed; and let the people of this country understand how their colonies were managed. Was it to be tolerated that a Government being just formed, a Member of it, imbued with certain abstract and theoretical opinions upon colonial government, should make his *début* in his official career by drawing up with the greatest coolness what he called "a constitution," sending it to a distinct colony, and to an appalled Governor, and be saved only by the discretion and the abilities of that Governor, and by the presumed indulgence of the House of Commons from the consequences of absurdity so flagrant, and which might have been so ruinous? Do not let it be supposed that by the Bill now before them—a Bill which had excited attention out of the limited circle of those acquainted with the affairs of New Zealand—they were assisting the development of a colonial government, or in repairing the unadvised conduct of the Minister at home. This was legislation produced, and solely produced, by one of the most enormous errors that ever was committed by a Secretary of State. For his own part, he did not pretend to have more knowledge on these subjects than any other Gentleman in that House, who gave some attention to the publications distributed among them; but he honestly admitted that the name of New Zealand always attracted his attention. He knew that New Zealand was synonymous with flagrant jobbing and most ignorant administration. It was

only by an accident that he had stayed in the House; but when he found there was a Bill on the Paper with this title, "to suspend for a limited time the operation of an Act granting a constitution to New Zealand," which as far as he could collect, could scarcely have arrived at that colony, he thought, as it was a psychological curiosity, he would stay to hear the answer of the right hon. Gentleman the President of the Board of Trade to the statement of the noble Lord. What was that reply? Why, the most astounding answer that was ever made. It was an appeal to the House to hurry into Committee, in a tone and spirit which would have induced anybody ignorant of the facts to suppose that the noble Lord was merely retarding the progress of important public business. Who could have supposed that not eighteen months ago, with a new Government formed, a Secretary of State, with regard to a colony so interesting and so important as New Zealand, should have sat down in his chair, and with his pen have coolly drawn up a constitution which he sent out to a Governor, who, the moment he received it, found it was impossible to carry into effect without endangering the allegiance of that colony to the British Crown? New Zealand was a fine and most interesting colony—a colony well known to the House of Commons—a colony well known to the people of this country—not only for the advantages which it commercially gave, but by grants of public money, which, at the fag-end of the Session, were generally proposed to repair the blunders of Colonial Ministers. Some hon. Gentleman would remember how the last Session of Parliament ended—how they were called upon for a considerable vote, in order to silence claimants, who ought not to have been silenced by such considerations, but who had suffered through the maladminstration of the colony. And how did this Session of the new Parliament commence? With a Bill to suspend a constitution—a constitution acknowledged by the Government themselves to be a thing too ridiculous to defend. Why suspend it? He could only account for it upon the great principle of English law, that everything should proceed upon a fiction. They were going to introduce that principle of the ancient society of England into the modern colony of New Zealand. They were to be "governed" there; they were to have "legislative councils;" they were to have "provincial councils;" but they were, above all, to be astounded by one great assumption, that there was a constitution which had been suspended. Why should they introduce into this new, this simple, and this primitive society, such a degree of "enormous lying?" Was that an ingredient necessary in a state of society of that kind? It could be accounted for and vindicated in an ancient society like ours. Not ten years ago a man could not ask in a court of justice for relief for the commission of injuries without feigning to be in a position in which he never was, and which he never could occupy; but that was no reason why such a system of falsity should be introduced into a new colony. Why should the political and legislative position of New Zealand depend upon an assumption which every one knew to be false?—the assumption that the inhabitants of New Zealand were in the enjoyment of a constitution sent out by a Secretary of State; which constitution was not in existence. Did anybody ever suppose the New Zealanders would enjoy the constitution that was promulgated at the end of 1846? Why, if the New Zealanders could profit by the institutions secured to them by this Bill, if it was not suspended at the end of this Session, everybody must give them credit for more ability, greater advantages, and more experience than could ever be reckoned upon in that crude conception, now embalmed in the legislative museum, almost unprecedented for its odious absurdity. The suspended constitution was an enormous absurdity, perpetrated by a Government who ought, at least, to have acknowledged their error. They ought to have asked the House of Commons to abrogate their blunder. They might have said, "We entered office in the most unexpected manner, and we determined to do something. We sent a constitution to a distant colony. Forget all this; and let us do what we can to effect that which is best for New Zealand." That would have been an intelligible position. It would not have been a more painful position than that which the Government occupied when they justified that transaction which last year was acknowledged in the House by the New Zealand Company. All our affairs with that colony had been of the same suspicious and equivocal character. The House might be inclined to pardon and forget past errors; but the only compensation the Government could offer was, to guarantee that the future arrangements for the government of the colony should at least be conceived in

a prudent and practical spirit. They were attempting by the proposed Act to save the reputation of an individual Minister. Let them save his reputation if they could by their arguments and their appeals, but do not let them drag in the House of Commons, by a fiction, to be the means of vindicating an absurdity the most gross that had been perpetrated for a long series of years, but the great evil of which was, not the mere grossness of the absurdity, but the fact of its leading the people on to future consequences, which the House would soon have to acknowledge, and again to rectify. He should have supported the noble Lord if he had called upon the House to testify their opinion upon the main question. As it was, he should support any one who would call for the opinion of the House upon it; but if no division took place, he could only say, that he had expressed his opinion upon the subject; and he knew, from what had occurred in the colony of New Zealand, that the time was not far distant when they should again have an opportunity of expressing their views with regard to it.

Mr. V. SMITH did not rise to vindicate the constitution which had been proposed for New Zealand, but he must call the attention of the House to the course which Parliament had itself pursued on a former occasion with regard to it. In the year 1846 Parliament passed a Bill giving to the Secretary of State for the Colonies the most ample power to promulgate a constitution for New Zealand, without any check whatever. In accordance with that power the Secretary of State for the Colonies did prepare the constitution which had since been sent out; but though it was printed, and laid upon the table of the House during the whole of the Session of 1847, neither the noble Lord the Member for Falkirk (the Earl of Lincoln) nor the hon. Member for Buckinghamshire (Mr. Disraeli) made the slightest objection to it, or discovered one of those defects against which they now remonstrated. The objection which he should make to the Bill was, that it did neither one thing nor the other—that it did not give absolute power to the Governor, but deprived him of powers the loss of which was calculated to cramp and confine his action. He would recommend the Government entirely to withdraw the 5th Clause of the Bill. The 4th Clause, which they were discussing, gave a discretionary power to the Governor; but the 5th Clause gave him no discretion, for he was there ordered to divide certain parts of the said islands into municipal districts, and to constitute within such districts municipal corporations. But those municipal institutions, however desirable they might be as a first step towards representative institutions, were not formed after the type of our own corporations; and he thought that a portion of the Governor's objections applied especially to those institutions. He would suggest to the right hon. Gentleman either to withdraw the 5th Clause altogether, or to give the same discretionary power to the Governor with regard to municipal institutions that he had with regard to the provincial legislative councils, which might very easily be effected by a slight alteration of the 5th Clause. He considered that the regulation with respect to voters, by which certain parties were to vote as a matter of right, while others were required to produce certificates of qualification to entitle them to the privilege, was calculated to cause much ill feeling and dissatisfaction. He trusted that his right hon. Friend would leave discretionary power in the hands of the Governor to avoid that. He must remember, as that distinguished statesman the late Lord Holland had said, that establishing a constitution was a work of time, and was not the invention of ingenuity. Governor Grey was one of the wisest, most discreet, and most vigorous Governors they had ever had; and he believed that the existence of the colony as a dependency of this country, depended mainly, if not entirely, upon that one man. He called upon the Government, then, not to urge Governor Grey to establish institutions of which they knew not whether he approved, whilst at the same time they left him a most odious discretion — that of granting certificates of respectability to those who were to become the voters under the constitution. He thought it extremely unfair to place a gentleman who had shown so much ability, energy, and zeal as Governor Grey had shown, in such a position.

Mr. LABOUCHERE said, the subject which his right hon. Friend who had just sat down had brought under their consideration properly belonged to the 5th Clause. As the matter had been brought forward, however, he might state that though the present Bill was doubtless framed upon the principle of giving a large discretion to the Governor, assisted by his Council, yet at the same time the subject to which his right

hon. Friend had referred was one which the House might be left to determine. It was quite true that Governor Grey did object to the municipal institutions in the form in which they were originally proposed to be introduced; but he believed that in their present form, after the modifications which had been introduced, there would be no difficulty in the way of introducing them. There were two provisions in the Bill which he thought quite met the Governor's objections. The first gave power to the Governor to grant certificates to such of the natives as he thought fit, enabling them to vote for municipal purposes; and he was also entrusted with the power of modifying the elective franchise.

Mr. AGLIONBY said, he hoped no party feeling would be indulged on this occasion, but that hon. Members on both sides would do their best to promote the welfare of this colony. It seemed to be assumed that the constitution was the work of the House of Commons; but the constitution was not contained in any Bill. The history of the constitution, he believed, was the following. A Bill was brought in, at the very end of the Session, under pressure from all sides of the House, to give a free constitution to New Zealand, and it was left to the Colonial Department to carry out what was understood to be the wish of all parties. During the recess, the then Secretary of the Colonies did devote his attention to the subject, and produced the constitution in the shape in which it had been sent out. He waited upon the Secretary for the Colonies with a deputation, and they pointed out to him the objections which they entertained to the constitution. He thought at the time that it would not work; but he was not sure that it would not have been better to have allowed it to remain as it was, with all its defects and imperfections, than to interfere with it now to the great disappointment of the settlers. It was not improbable, that in the southern part of the island all the machinery had been prepared for carrying the constitution into effect; and even if it had not come into actual operation, still it would be a grievous disappointment and vexation to all parties in New Zealand to have lost a constitution which they thought was just within their reach, and which the colonists believed would have afforded them the means of setting themselves free from arbitrary power. The settlers had all gone from this country within the last seven or eight years; and they had gone out in large bodies, carrying with them their religion, their education, and all their institutions. Let them take for example the settlement of Otago, which was now in fact a Scotch colony. The distinction could not exist there, for there were not more than forty-two natives in the whole colony. So also in Nelson there was a very small fraction of natives; and in the whole of the Middle Island, which was as large as England, there were only 1,200 natives; and when they were so few in comparison with the settlers, he should not be at all afraid of extending the franchise to them. It had been said, that they had better abolish the constitution, in preference to suspending it. He confessed he thought it better, especially with such a Governor as Captain Grey, to have a clause such as this, enabling the Governor to enact as soon as he pleased what was called a "despotic Government." If ever there was a man to whom such powers might be entrusted, they might be entrusted to Governor Grey, though it must be confessed by so doing, they placed that gentleman in a somewhat invidious position. He hoped that some pledge would be given that Government would before long advise a species of self-government. Of all the curses that ever fell upon our colonies, the worst was to be subject to constant suspense.

Sir R. PEEL: The right hon. President of the Board of Trade earnestly recommended the House not to waste time in discussion, but at once to resolve itself into a Committee on the Bill; but it appears to me that the adoption of the right hon. Gentleman's advice has had the effect of involving us in some inconvenience; because those Members who were anxious to offer general observations upon the question, could better have done so in the House, than upon a particular clause in Committee. I wish myself to offer a few observations upon the general question raised by the introduction of this Bill. I must confess that the perusal of the papers which have been presented to the House, has left a painful impression on my mind as to the position of affairs in New Zealand. It appears that the native inhabitants of this colony have attained to a high point of intelligence; and that they possess warlike habits, courage, and military skill, which render it most advisable that scrupulous good faith should be observed with respect to all engagements entered into with them. I heard with the utmost satisfaction from the right hon. Gentleman,

that no assignable difference of opinion exists between Earl Grey and Governor Grey in respect to that most fruitful subject of angry discussion, the settlement of land question. I take it for granted, that the right hon. Gentleman has received communications which assure him that no such difference exists. Indeed, in looking at the facts of the case, as presented by the papers, it is hardly possible to suppose that any difference upon so important a point can exist. The construction which Governor Grey has put upon the claim of the New Zealand Company on the one side, and on the case of the natives on the other, is printed in the papers before us. It has been published, and will be sent to the colony with the knowledge of the House of Commons — it will become notorious to the inhabitants of New Zealand; and, under these circumstances, I say it will be impossible to make Governor Grey responsible for the government of the colony if he is to attempt to put a less liberal and more limited construction upon the claim of the natives than that which he has done. Governor Grey says in his despatch of April 7—

"I should also observe, that the position I understand to be adopted by the New Zealand Company's agent, that if tracts of land are not in actual occupation and cultivation by the natives, we have, therefore, a right to take possession of them, appears to me to require one important limitation. The natives do not support themselves solely by cultivation; but from fern-root, from fishing, from eel ponds, from taking ducks, from hunting wild pigs—for which they require extensive runs —and by such like pursuits. To deprive them of their wild lands, and to limit them to lands for the purpose of cultivation, is, in fact, to cut off from them some of their most important means of subsistence; and they cannot be readily and abruptly forced into becoming a solely agricultural people."

The Governor adds these emphatic words:—

"Such an attempt would be unjust; and it must, for the present, fail, because the natives would not submit to it; indeed they could not do so, for they are not yet, to a sufficient extent, provided even with the most simple agricultural implements; nor have they been instructed in the use of them. To attempt to force suddenly such a system upon them will plunge the country again into distress and war."

That opinion was published, and would be known by the natives of New Zealand; and, therefore, it is impossible to believe that there can exist any practical difference between the Executive and the Governor of the colony upon that point. The coincidence of opinion between the two authorities affords the happy omen of the satisfactory adjustment of the question. The only observation I intend to make with reference to the debates is, that the former Secretary for the Colonies, my noble Friend (Lord Stanley) was most unjustly censured in this House for the construction which he put upon the Treaty of Waitangi — a construction which now appears to be universally adopted. In the present situation of the colony, anything which I say will be, of course, more in the way of friendly suggestion than with the view of imputing blame to the Government. Her Majesty's Ministers must be best acquainted with the state of affairs in New Zealand, and nothing could be more unwise than to embarrass their decision by obligatory advice. In my opinion, the best course to take would be, to abolish the present constitution, without raising a doubt as to the wish of this House and the Government to establish ultimately representative government in New Zealand. My opinion remains unchanged, that the colony can better conduct its own affairs through representative institutions than we can manage them for it. If there could exist a doubt upon this point, it must be removed, when we find that the Home Government sent out a constitution to the colony, the very foundation of which—the elective franchise — could not be established, because there was not a single native who possessed the qualification we required from him, namely, the ability to read and write the English language. I think, then, that the Government would have acted wisely if they had merely abrogated the existing constitution, and, to leave no doubt as to the future intention of Parliament, had inserted in the preamble a declaration that it was intended to give the colony a new one as soon as the Government had an opportunity of consulting with their Governor, in whom they justly reposed the utmost confidence, as to the principle on which it should be founded. Why not authorise the Governor to proceed forthwith to establish municipal institutions on a principle of fairness to the inhabitants of all classes? By these means you would guarantee the free expression of public opinion, and protect one class from injury arising from the undue preponderance of another. At the same time, I advise you to avoid as carefully as possible saying anything about the principle on which you mean to proceed. Wait until you get the Governor's opinion before you say anything about the principles of the

British constitution as applicable to New Zealand. I retain my opinion that municipal institutions, which will give the inhabitants of New Zealand large powers for managing their own affairs, by local taxation for local objects, would form the best germ for free institutions to be subsequently imparted; and I see no reason why, in many parts of the colony, if not in all, municipal institutions should not be immediately formed. The disadvantage attending the suspension of the constitution during five years is, that you leave the question in an unsettled state during the whole of that time. Would you venture to put in the preamble of the reasons on which you act, what is to be found in the information which the Governor has communicated to you? Would you say, "Whereas the Governor of New Zealand, in whose integrity and ability the greatest confidence may be placed, has represented that Her Majesty's native subjects in New Zealand will certainly be exceedingly indignant at finding that they are placed in a position of inferiority to the European population;" and whereas, "at present, the natives are quite satisfied with the form of government now existing, and as the chiefs have always ready access to the Governor, and their representations are carefully heard and considered, they have practically a voice in the Government, and of this they are well aware: but under the proposed constitution they would lose their power, and the Governor would lose his influence over them;" and whereas, "whatever form of government it may be determined ultimately to bestow upon the northern colony of New Zealand, it would be desirable in the first place that it should not be such as to render it doubtful whether the large native population will submit to it; and secondly, that so long as the Governor has so formidable and numerous a race to control, it is necessary not only that he should have the power by his negative of preventing any measures being passed which might result in rebellion, but that he also requires to be in possession of the active power of carrying such measures as are essential for the welfare and pacification of the native race?" Those are the reasons on which the Government are about to suspend the constitution of New Zealand. What, then, will be the feeling of the native population, if you hold out to them that there is a possibility of that constitution being reimposed at the end of five years? Why run this risk for the purpose of applying a salve to the pride of a Secretary of State? If it be really intended to reimpose the constitution at the end of five years, what, in that case, would be the position of the colony if Governor Grey has accurately described the feelings of the natives? Let us tell Governor Grey to proceed, in the first instance, to establish municipal institutions, including within them the native population, on fair and just principles, and afterwards communicate with him as to the best mode of applying institutions to the colony on a larger scale. Tell the natives that they shall have free institutions, but do not tell them that the elective franchise you now propose for municipal purposes is that the Governor should name the electors. I deprecate the candour with which you publish these things. After telling the natives that they would have the happiness of living under the British constitution, you find that you cannot adopt the English principle, and you adopt another. You do away with what you first established, and in the meantime you substitute something else. What idea will the natives have of the English constitution, if they regard as the English constitution what you now propose? The Governor is to give a certificate of respectability. He is to determine who are to form the elective body; and for the power of "reading and writing in the English language" the Governor is to substitute a certificate of respectability, which is to decide the right of voting. I believe Governor Grey to be above the ordinary motives by which Governors are actuated. If he were an ordinary Governor he would be unwilling to give the elective franchise largely to the opponents of the Government. The qualification of natives to be electors is so far to depend on the opinion of the Governor, that they possess "the intelligence necessary for qualifying them to take a part in the administration of local affairs." The English would, by this proposed regulation, have a right absolutely to the municipal franchise, while the qualification of the natives would be made to depend on the opinion of the Governor. Do not call this the English constitution; and what I complain of is the candour of your revelations. If you give to the executive authorities the power of determining who are "faithful subjects of Her Majesty, possessing the intelligence necessary for qualifying them to take a part in the administration of local affairs,"

I will venture to say that in nine out of ten municipal corporations you will make the elective franchise depend on the opinion of the mayor as to the degree of intelligence of the parties, and as to their qualification to "take a part in the administration of local affairs." Under such circumstances I will predict the general complexion of the elective body. I can foretell that the majority will be in favour of the opinions of the mayor. This regulation is to apply to the natives; and as to foreigners of European origin, it is stated in Earl Grey's despatch to Governor Grey that

—"these settlers are said to be in general intelligent, as well as industrious and orderly, although they may not be able to read and write the English language; and, as a general rule, you will naturally grant certificates to all of this class who apply for them, unless for special reasons which appear to your mind sufficient to justify their being withheld."

Is such a measure calculated to enable the natives to form a notion of a representative government? I do strongly wish that you should establish the qualification according to one universal principle. If the natives are so intelligent as Governor Grey represents them to be, and if among the young chiefs there are men of great pride, we shall have not only their courage but their pride to combat, when they begin to understand what sort of constitutional privileges have been conceded to them—when they learn that every Englishman shall have a right to the municipal franchise, and every foreigner, except for special reasons, but that the natives shall not unless they have got in their pocket a certificate of respectability. It would be better, with a view not to offend their feelings of pride, to establish one equitable rule of qualification in which all parties would be embraced. These are my general impressions, which I have stated to the House, with the view of offering my advice, and not for the purpose of embarrassing the Government, for whose difficult position I make allowance. I beg the Government to consider whether it would not be better to make some general declaration for the purpose of putting on record our feeling in favour of the establishment of representative government in New Zealand as soon as possible; to take off the shoulders of Governor Grey the incumbrance of this constitution of 1846; and to let him proceed at once to the establishment of municipal institutions, making in respect to them no distinction between European and native blood, but dealing with the population as on the footing of British subjects.

Mr. LABOUCHERE observed, that there would be very few who would not be able to read and write the English language, and who would be debarred from the franchise. Those to whom the question of certificates would apply were partly foreigners—chiefly Frenchmen, settled in some o fthese districts, very few in number —and partly aborigines. He thought that by givingt his power to the Governor, the certificates would be given to every body of character. As to the more important question whether they ought to suspend the constitution, or at once to abrogate it, he still continued of opinion that it was more desirable they should suspend it. In the case of Newfoundland, where a very popular constitution had been given, and it was thought advisable afterwards to modify the constitution, the course which was taken was not to repeal the constitution, but to suspend it, and to enact a temporary constitution. In Canada, although Parliament determined to alter the constitution, yet in the first instance it was suspended. He thought the natives would have confidence in the Government of this country that they would do them justice after they had seen that the constitution had been withdrawn and suspended for the purpose of conciliating their feelings. It was scarcely to be expected that the House would refuse its assent to a Bill of this nature, having for its object the real good of the colony, and particularly when it was recollected how much the rights of the New Zealanders had been respected by this country. If the constitution were for a time suspended, the House might depend upon it that the Government would in the meantime adopt every measure necessary for securing the freedom and the prosperity of all Her Majesty's subjects in New Zealand.

Captain HARRIS considered the absence of the noble Lord at the head of the Government a great misfortune, because he believed that if he were present and had listened to the arguments that had been urged by the right hon. Baronet the Member for Tamworth, as well as by other hon. Gentlemen on both sides of the House, he would have seen the propriety of repealing the constitution, instead of allowing it to stand over for a term of five years. It was impossible to read the despatches of Governor Grey without seeing that he deprecated, as distinctly as any hon. Members in that House, the extended constitution at

present existing in New Zealand. He (Captain Harris) had been struck by one or two remarks that fell from the hon. Member for Northamptonshire, in reference to the legislative duties that had to be discharged by a portion of the colony. He could speak from an intimate knowledge and acquaintance which he had with individuals residing in the colonies, that those duties were found to work very prejudicially to those on whom those duties devolved; that they were obliged to leave their counting houses, &c., and travel several miles for the purpose of attending to the public concerns of their colony. He hoped the Government would devise some method by which such parties might be permitted to attend more to the transaction of their own affairs, as some felt the duties to be almost ruinous to their professions. He would entreat the right hon. Gentleman opposite to repeal the constitution at once. If at the end of two or three years Governor Grey should state in his despatch that he saw no objection to the restoration of the constitution, he (Captain Harris) would be very happy to give his vote in that House for its restoration. If the House, however, divided on the question now before them, he should certainly vote for the Amendment.

The CHANCELLOR OF THE EXCHEQUER said, that the right hon. Baronet the Member for Tamworth had indulged in a good deal of wit at the expense of the provision of the measure which regulated the qualification for the franchise, and gave discretion to the Governor in giving certificates to persons of good character, although they could neither read nor write the English language; and the right hon. Baronet seemed to think that that would be placing the Governor in an exceedingly invidious position; but if the right hon. Baronet would again refer to the papers, he would see that this power of granting or refusing the certificate was given to the Governor at this own request, with a view to the advantage of the colony. In page 49, it would be seen by reference to the despatch of Earl Grey, that this discretionary power of the Governor as to the certificates was intended as an advantage, and calculated to extend the privileges of the franchise, for after alluding to the condition that none but those who could read and write English should enjoy that advantage, the despatch to Governor Grey goes on to say—

"I have upon the whole, thought it best to advise, not that this charter should be altered by removing this restriction, but that you should have a discretionary power to dispense with it. You will, therefore, be empowered to grant to such persons as you may consider to deserve the privilege, certificates that although they may not be able to read or write the English language, they are good and faithful subjects of Her Majesty, possessing the intelligence necessary for qualifying them to take a part in the administration of local affairs; and the possession of such a certificate will entitle the occupier of a tenement of adequate value, though he may not be able to fulfil the condition of reading and writing the English language, to be placed on the register of the borough, and to exercise his franchise. This measure will apply, as you will not fail to observe, in the first place, to foreigners of European origin (naturalised according to the colonial laws). These settlers are said to be generally intelligent as well as industrious and orderly, although they may not be able to read and write the English language; and as a general rule you will naturally grant certificates to all of this class who apply for them, unless for special reasons which appear to your mind sufficient to justify their being withheld. It will apply, in the next place, to the natives occupying tenements within the limits of boroughs; and it was with a view to these that the restriction was originally conceived. With respect to them you have recommended, in your despatch of the 3rd of May, that the Governor should be empowered from time to time to name certain natives who should have the privilege. It is the object of the additional instructions which you will receive to carry into effect this recommendation, and accordingly the granting or withholding certificates to the natives, will be a matter on whish you must exercise your own discretion."

It would be seen, therefore, that the discretionary power was recommended by Governor Grey himself, and would have a tendency to extend the franchise to New Zealanders, even though they should not be able to read or write English.

MR. HENRY DRUMMOND said, that a question of this kind, as to whether they should repeal or suspend the constitution, was one of very great importance, and it was most desirable that with relation to such a subject we should come before the natives of New Zealand with clean hands. But this country had already acted falsely towards them. It commenced with the assumption that the whole country belonged to them, save what had been purchased from them, and eventually it turned round and said that the whole islands, unless what the New Zealanders absolutely cultivated, belonged to England. It appeared to him to be as great a piece of oppression as ever was practised even by the most arbitary Government.

MR. MONCKTON MILNES thought it was impossible that the hon. Member who had just sat down had devoted sufficient attention to the subject, or he would see that his idea as to the treatment which

the New Zealanders had received, and the faith which had been observed by them, could not be borne out. The hon. Member had evidentally alluded to what was called the Treaty of Waitangi; but they all knew that as regarded the southern portion of the Northern Island and the Middle Island, it was not pretended that any chiefs possessing property in those districts were parties to the treaty. Let the treaty be as solemn and as absolutely binding as they pleased, it could still refer only to those chiefs who were individually parties to it; and as it was impossible to give that treaty a power to bind other chiefs, as it would be to give to an engagement made by the Queen of England a right to bind the King of France by the terms of that engagement. The right hon. Baronet the Member for Tamworth had said a great deal about the constitution; but he (Mr. Milnes) could not help feeling that it came with a bad grace from one who, when at the head of the Government, refused a constitution to the white colonists of New Zealand, but who now reproached the present Government with not being absolutely inclined to include the whole native population of an uncivilised island within provisions of a constitution proposed to be granted to the European colonists there. So far as the interests of the natives were concerned, he would remark that he believed there was no instance of a native population in the history of colonisation who had been treated with the same consideration which this country had exhibited towards the native population of New Zealand. If they compared the treatment which the red men of North America received from the white colonists—if they compared the treatment which the Indians of America received from the Spaniards and Portuguese—they would perceive at once the different treatment which was adopted towards them as compared with that which was adopted towards the New Zealanders. There never had, in fact, been a greater attempt made to improve the condition of the natives than that which had been made in New Zealand, at the same time that the endeavour was made to raise up a prosperous English colony. With respect to reading and writing English, the right hon. Baronet opposite (Sir R. Peel) would see that such a qualification for the franchise was one that could not exclude any native who wished, by educating himself, so far to qualify himself for the rights and privileges possessed by his British fellow-subjects. He approved of this measure, because he thought it was necessary, and because it wisely gave a wide discretion to the Governor, and a temporary transmission of power, which was calculated to be highly useful.

Sir R. H. INGLIS wished to know what right we had to sovereignty in the part of New Zealand included in the Treaty of Waitangi, if that treaty were not held sacred? Supremacy was obtained by first discovery, or by treaty: if they wished to rely on the former, why did they make a treaty? If they relied on the latter, what became of the claim on the ground of first discovery? He regarded such a treaty just as binding as the Treaty of Utrecht; and he should always continue to hold the rights of the brown man in New Zealand in as sacred a light as the rights of the white man in other parts of the world.

Mr. HUTT said, that the relation in which he stood to settlers and other inhabitants of New Zealand, was such as to render him disinclined to allow this discussion to close without making some observations upon the subject before the Committee. It was no light matter to suspend the constitution of New Zealand; but he hoped that the Government did not intend the suspension to continue for so long a period. Five years in the history of a colony was a period of greater length and importance than those who were unaccustomed to such subjects were apt to imagine. The intelligence of this suspension would be received by the colonists in New Zealand with suspicion and regret; and he did not think that this Bill would be held any consolation by them. He did trust that the Government would seriously consider, after the passing of the present Bill, the necessity of giving the British people of these islands a constitution such as they had a right to expect.

Mr. SCOTT hoped, for the general sake of the House and the country, that the Treaty of Waitangi should be respected and maintained in the spirit in which it was conceived, namely, that the forests and estates of all the chiefs and tribes should be guaranteed to them collectively and individually. He would not have alluded to this subject, were it not that a person holding high official position had given expression to doctrines completely at variance with the provisions of that treaty, and were it not that their promulgation had given rise to much anxiety in the colony. The doctrines to which he alluded were contained in Earl Grey's despatch of the 30th

of November, 1847, in which he stated his detemination "that the theory of the ownership by tribes of unoccupied land should not be made the basis of any future transactions." He contended that this determination was at precise variance with the Treaty of Waitangi; and he trusted as far as the land question was concerned, between the natives and the European settlers, that it might be made known to them that it was the intention of the Government and of that House to carry out the treaty in a fair and liberal spirit. There was also one other point to which he desired to draw the attention of the House. Much discontent and animosity had arisen between the natives and the settlers from the fact that the former were not allowed to barter their lands to any one but the Government, who having received it at the rate of twopence or fourpence per acre, would not part with it under twenty shillings per acre; the consequence of which was that the natives felt that the Crown had obtained their land at an inferior price, and that they had not been justly dealt with. In conclusion he would request Her Majesty's Government to consider well whether they would only suspend the constitution for five years, or whether it would not be better to repeal the constitution altogether, and leave it to that House to determine when there might be a more fitting opportunity to confer one more suitable.

Clauses 5 and 6 were agreed to.

The House resumed. Report to be received.

SUPPLY—MR. ANSTEY.

The CHANCELLOR OF THE EXCHEQUER moved, that the House should go into Committee of Supply. This was merely a formal Motion in order to enable his noble Friend (Lord J. Russell), on Friday, to make his financial statement. Next week there would be another Supply night, when the Motion of the hon. Gentleman opposite (Mr. C. Anstey) would come before the House.

MR. URQUHART: I believe, Sir, that when a question of Supply is to be discussed, it is the usage of this House to entertain one of grievances. If this is an hour not too late for Supply to be gone into, it is perhaps not too late also for grievances to be gone into; and if it is too late for grievances to be gone into, it may be also too late for Supply to be gone into. I will put it to the House whether the Order of the Day shall be now proceeded with, or an adjournment take place. I will put it to the House whether it is not late enough for the House to adjourn. I will not now refer more particularly to the means that were adopted on the former occasion to get rid of the Motion of my hon. and learned Friend the Member for Youghal; but it is notorious to the House that means were taken by the Government to get rid of this question. I do not wish, Sir, to stand in the way of public business most certainly; but I think the occasion does afford the opportunity of getting a hearing. I beg to say that I do persist in moving the adjournment of the House if the question of Supply is to be gone into; and I leave my Motion in the hands of the House.

MR. W. S. O'BRIEN: Sir, I beg to second the Motion of the hon. Gentleman, and I will state to the House the grounds upon which I do so. I confess that I think a great injustice has been done to the hon. and learned Member who brought forward this Motion by the Government. They did not keep a House, whereas they might have done so if they had chosen. I have been in this House long enough to know the means that were taken to count it out on the former occasion. For my part, I have formed no opinion upon the subject of the charge against the noble Lord; at the same time, I am here as a juryman to listen to a charge. That charge, Sir, is the gravest that can possibly be made against a Minister of the Crown. If that charge can be substantiated, I say that the noble Lord is put upon his defence upon grounds that are worthy to be considered by this House; and I really was surprised to find that the Government should resort to a Parliamentary trick for the purpose of getting rid of a charge involving the character of the noble Lord. Under these circumstances, Sir, I beg to second the Motion of the hon. Member for Stafford.

LORD DUDLEY STUART: Sir, I wish very much that my hon. Friend (Mr. Urquhart) had not moved the adjournment of the House. I really would wish that the question relating to this Motion should be thoroughly gone into. I wish, Sir, that the Government, when this Motion came on the other night, had not resorted to the expedient of counting out the House, notwithstanding they have taken that course. But I do think that the object of my hon. and learned Friend

(Mr. Anstey) may be much better attained by not offering obstruction to the public business of the House. I should recommend that the hon. and learned Member would not persist in a course of that kind. At the same time, I must say that, as a Member of Parliament, I think he has a most perfect and most undoubted right to make the Motion of which he has given notice; and I think that we are all bound, and most of all the Government, and more than all my noble Friend the Secretary of State for Foreign Affairs—I think that we are all bound to see that the hon. Member for Youghal has a fair and impartial hearing; because, however unpopular this Motion may be in the House (and I think it is vain to disguise from the hon. and learned Gentleman that it is so), however much people may have adopted preconceived notions upon the subject, I am sure that a thorough discussion is necessary in order to set the matter at rest. It is not for me to suggest any ideas to my noble Friend the Secretary of State for Foreign Affairs; but at the same time, if I entertained the notions of my hon. and learned Friend the Member for Youghal, I should be as determined as he is—not indeed, perhaps, to obstruct the business when the House is about to discuss a subject of importance—but I should certainly be as determined as he can possibly be to bring the subject under the notice of Parliament. I am not now called upon to express any opinion upon the subject; it will be enough for me to do so after I have heard the whole of the arguments—after I have heard the accusations, and after I have listened to the answer of the noble Secretary of State for Foreign Affairs. But with regard to any impression that may exist, I will state that I am in the habit of exchanging courtesies with the noble Lord; I have received kindnesses from him; I have been proud and happy to receive them; and it is impossible that I can do that if I at all participate in the impressions which my hon. Friends (Mr. Anstey and Mr. Urquhart) must conscientiously entertain before bringing forward such a charge. At the same time, I did feel great surprise the other night when I found how this Motion was got rid of; because I believe now that measures were resorted to which were perfectly Parliamentary, I dare say, but which I do not think, under the circumstances, were at all creditable to the Government. I will only say this—that if I had been in the position of my noble Friend the Secretary of State for Foreign Affairs—because, disguise it as you will, it comes to this, that an hon. and learned Member of Parliament, using his right as a representative of the people, sent here by his constituents, does feel it to be his duty to bring a direct and distinct charge against a Minister of the Crown—whatever may be our impressions upon this charge, I say that my hon. and learned Friend has a perfect right to bring it under the notice of the House; and I must say that I think that a charge against the conduct of a Minister of the Crown ought not to be endeavoured to be got rid of by any undue means, such as those that were resorted to on Tuesday night last. It must surely always be desired that fair play should be done to every man, whether he be an accuser or a defender—if he be a Member of the Opposition, or a Minister of the Crown; and I will say this, that however desirous I might have been to have left the House, I certainly did stay in order to be present; and I would have endeavoured to induce other hon. Members had I known of the attempt that was to be made. I do not think it was at all creditable, I must say, for those who have the power of influencing other hon. Members, to ask them to stay away. ["No, no!"] Some hon. Gentlemen say "No, no!" They do not believe that such could be done as a person connected with the Government asking others to go out of the House. I was asked myself by an hon. Gentleman individually, and which I refused, and expressed my astonishment that such a request should have been made to me. I found that I was only laughed at. And my noble Friend must excuse me for now saying, that being attacked in the way that he was, then I should have been very glad if he could have made a triumphant defence. Let my noble Friend hear the arguments of the hon. Gentleman, let him tear his arguments to ribands, let him confound him—but do not let him, if it is only for his own character, shuffle out of the accusation. I cannot help saying, at the same time, that I hope my hon. and learned Friend will come to some understanding with the Government. I do not think it is very difficult to do so, and I do not think the Government ought to be anxious to avoid the subject. I have said that that is not the way I should act; but let my hon. and learned Friend take a regular

Motion day on which to make this Motion. That would be the more regular way. It may be a long way off—let him take as long a day as he can—let him give my noble Friend a reprieve—and then I dare say there will be no difficulty. I have endeavoured to induce him to do that in order to forward the public business; and if I had any influence with the Government, it would be to induce them to come to an understanding with him, so as to do every thing in their power to facilitate his bringing forward this Motion.

The CHANCELLOR OF THE EXCHEQUER: If the hon. and learned Gentleman will take the advice which my noble Friend (Lord Dudley Stuart) gives him, the Government will do their best to keep a House for the hon. Gentleman on any Notice day on which he likes to bring forward his Motion. For my part, I admit that I was not in the House the other night. I came down after having gone to get a mouthful to eat, and I found that the House had been counted out. I was not cognisant of any attempt to count out the House. I believe the hon. and learned Gentleman will take the regular course, if he now allows the House to go into the question of Supply, and brings his Motion forward on a Motion night. He will do this, if he is desirous to further that which is matter of public interest. I only ask it for the public convenience.

MR. O'GORMAN MAHON: With a desire for fair play, I think I may express a hope that my hon. and learned Friend will withdraw his Motion for this evening. With reference to the allusions made to the counting out, I must remind the House that it had been expressly told him by the hon. Member for Montrose that if he did upon that occasion, when both sides of this House had assembled upon the question which presented itself for discussion before this House, not only interesting to this House, but to the community at large—to England, Ireland, and Scotland, and in which all our feelings were wrapped and wound up—the hon. and learned Member was solicited by both sides to withdraw his Motion with an express promise that if he did so, he would get a full and fair hearing, and he refused to do so. Having refused to listen to the advice expressed and conveyed to him by hon. Members on both sides of the House, I, for one, who would have heard him with patience, with the same spirit of impartiality that the noble Lord (Lord D. Stuart) professes he desires to keep up—I felt so hurt by this course, and which so vitally interfered with the matter in which we were so interested (the Debate on the Jewish Disabilities Bill), that I exercised all the power I possessed to induce Members to retire from this House, for the purpose of marking my disapproval of any one who would assume to himself, in opposition to the concurrent wishes of both sides of the House, anything like a factious course of conduct. I now state that I did induce every man that I possibly could to withdraw, knowing this—that the course that the hon. and learned Member suggested and attempted to pursue was calculated to do mischief to a fair and impartial hearing, which he pretended to desire. For if the noble Lord (Lord Palmerston) on the opposite side of the House is in the slightest degree obnoxious to the charges and accusations that the hon. and learned Member alleges against him, it will be the duty of this House to scrutinise them closely, and to punish them with severity if the noble Lord be guilty. But it was impossible, under the circumstances under which he brought forward the question the other night, that either a fair or impartial hearing could have been given to the hon. and learned Member, in consequence of the interference by his Motion in opposition to the unanimous wish of both sides of the House. It is under these circumstances, Sir, that I unite with the noble Lord (Lord D. Stuart) in praying that my hon. and learned Friend will withdraw his Motion now, and on the first convenient day he will get, I hope, the opportunity of making out his charges against the Foreign Secretary.

MR. ANSTEY: Before I speak on the question of adjournment, Sir, I wish to know from you whether that will constitute an objection to my being heard by and by upon my Motion, because at present I wish to speak merely in reply to the right hon. the Chancellor of the Exchequer.

MR. SPEAKER: The question of adjournment is a separate question. The hon. Member is at liberty to speak upon both.

MR. ANSTEY: Sir, in answer to the appeal which has been made to me by the Chancellor of the Exchequer, I have to say that, at an early period of the evening, I gave Her Majesty's Ministers an ample opportunity to afford me some security, that I should have all that I desired, a fair

hearing. I asked no indulgence from either side of the House. I knew that in the position in which I was placing myself, I was entitled to no indulgence; but I was entitled, and I am entitled to justice; and that I demand. I therefore gave the noble Lord at the head of the Treasury an ample opportunity to offer me some assurance that should be satisfactory. It was my desire not to obstruct the business of the House either on this occasion, or on Friday next, it having been conveyed to me that to persevere in my Motion would be to effect the postponement of the Vote of Supply to-night, and, with the Vote of Supply, the financial statement on Friday. No such assurance was given me. I then gave notice that I should at any hour to-night bring on my Motion. The notice was received with silence, and, as I thought, it was acquiesced in by the noble Lord (Lord John Russell): consequently I have been here ever since, at great inconvenience, with other hon. Members, for the mere purpose of this Motion; and now, at the eleventh hour, or rather at the last hour, the right hon. Gentleman comes forward in a manner which leaves me in doubt whether he is serious or not, to propose to me that I shall surrender the slender advantage I possess—the only one that I have been able to secure—on the chance of my being able to bring on my Motion by and by, on a day not to be fixed by Government, but by me; in which case Government will endeavour to prevent hon. Members from quitting the House. I am afraid I know what that chance is worth, and the right hon. Gentleman knows it too. But if the right hon. Gentleman will give me this assurance—that he will name a day next week for a Vote of Supply, and name it at such an hour, and give it such a place in the Orders of the Day as will give me reasonable hope that I shall not be again exposed to the contingency of such an appeal as this being addressed to me, I will most cheerfully comply with his request; otherwise, I am very much at a loss what to do. I do not wish to put hon. Members to the inconvenience of waiting here another hour or two for the purpose of hearing a speech of mine even upon so important a subject. On the other hand, I am quite ready to go on. I solicit no indulgence for myself—I can stay here till any hour in the morning. It is not for my convenience, but for the convenience of hon. Members, that I am prepared to give way, if at all, and I will give way if I have a reasonable security that I shall not be in any way prejudiced.

Sir, with respect to what has been said by an hon. Gentleman of my conduct in not giving way on a former occasion, I have a very simple answer. I gave then what I should suppose to any man of honour was a sufficient reason for my refusal. I asserted then—I repeat it now—because the press, for reasons best known to those who have the conduct of it, have taken care to suppress that part, the only material part, of my statement. I did say then what I now repeat—that not only had I made promises not to give way, but that on the faith of those promises several hon. Gentlemen sitting on both sides of the House, and prepared to vote for and against the Jews' Bill, had gone away for the evening. That was the ground on which I rested my reluctance—the impossibility, rather, in which I found myself to give way; and I believe I may appeal to the hon. Member for Northamptonshire, who was one of the Gentlemen who pressed me upon that occasion, but who was not previously aware that such was my position, whether he did not esteem it a perfectly satisfactory explanation? With respect to the conduct of Government on that occasion, it is notorious that the noble and hon. Members acting in the capacity of whippers-in to Her Majesty's Ministers did, in the exercise of that function, materially contribute to the reduction of the numbers present; and the moment was chosen by a noble Lord, a Member of the Administration, when the House found itself sufficiently weeded out by those means, to give the nod which decided the event of the evening. Therefore it is vain for Her Majesty's Ministers or supporters to deny that the House was counted out upon that occasion, and by their contrivance, and not at all from any unwillingness on the part of the House to hear me. However, I have made an offer to the right hon. Gentleman the Chancellor of the Exchequer, which I now beg to repeat; and I leave it to him now to say whether he will accept it.

The CHANCELLOR of the EXCHEQUER: With regard to the offer, I can only say this, that if the hon. and learned Member will put off his Motion till to-morrow fortnight I will do all I can for him, and the Government will take as much care as they can to keep a House for him. If he will now give way, he will

have precisely the same power on any future Committee of Supply that he will have to-night. There must be another Committee of Supply before long; and, therefore, if the hon. and learned Gentleman chooses to wait till then, he will have the same power that he has now. But the other course will be more desirable; and if he takes it, I promise to do my best to keep a House for him for his attack upon my noble Friend. Of course it is in his power to insist upon proceeding to-night; but I am sure that no advantage can be gained by it.

Mr. ANSTEY: Mr. Speaker, I believe that at present I have the opportunity, if I choose to use it, of giving notice for this day fortnight, or for Tuesday week. [Mr. Speaker informed the hon. Member that he had not, but must abide the ballot at four o'clock.] Then, Sir, I am in a difficulty. I know that every day is occupied until Tuesday week, and I may find, when I come down at four o'clock in the afternoon, for instance, that some hon. Member has given notice—that the hon. Member for Montrose has given notice for this day fortnight on that very Motion which stood for to-morrow, and which, to oblige Her Majesty's Ministers, he has withdrawn—I mean the case of the Rajah of Sattara. In that case I shall be again excluded. Nevertheless, as my first wish is not to press unduly upon the convenience of hon. Members, I will consent to incur even that risk; and I will trust to the promise of the right hon. Baronet. I trust that faith will be kept with me, not only to the letter, but in the spirit, and that no hon. Gentleman will give notice of a Motion for the mere purpose of obstructing or shutting me out. I rely upon the promise of the right hon. the Chancellor of the Exchequer with perfect and implicit confidence.

Mr. URQUHART: Sir, after the explanation of the right hon. the Chancellor of the Exchequer, I beg to withdraw my Motion.

Motion withdrawn.

House in Committee of Supply.

The CHANCELLOR of the EXCHEQUER obtained the annual vote for outstanding Exchequer-bills.

House resumed. Adjourned at a quarter past One o'clock.

HOUSE OF LORDS,
Tuesday, February 15, 1848.

Minutes.] *Took the Oaths.*—Viscount Leinster.

Public Bills.—1ª Sale of Incumbered Estates (Ireland).

Petitions Presented. By the Archbishop of York, from Clergy and Laity of the Deanery of Burford, against the Admission of Jews into Parliament.—By Lord Monteagle, from Wine and Spirit Merchants of various places, for Alteration of the Excise Laws.—By the Earl of Eglintoun, from Merchants, Manufacturers, and Bankers of Glasgow, for Repeal of the Bank Charter Act of 1844, and for an Equality of Privileges to all Joint Stock Banks in the United Kingdom with the Bank of England.—By Lord Denman, from Derbyshire and Lancashire, for the Removal of Jewish Disabilities.

STATUTE OF PRÆMUNIRE—ELECTION AND CONSECRATION OF BISHOPS.

The Bishop of EXETER presented the petition of which he had given notice. In doing so, he must, in the first place, be permitted to say that he had not sought the office of presenting this petition. On the contrary, it had been his wish to decline it, and he had written to the petitioners intimating his wish that it should be put into the hands of their own diocesan. The petitioners, however, answered, that as the petition had reached his hands, they hoped he would consent to present it; and it now devolved upon him to present the petition to their Lordships. It was not an ordinary petition. It proceeded from several conscientious clergymen of the archdeaconry of Bucks, who approached this House, praying that it would deliver the Church from one of the greatest oppressions—one of the most intolerable violations of the rights of conscience—which had ever been inflicted upon any Church since the era of Christianity. The petitioners prayed their Lordships for the repeal of so much of the Statute of the 25th of Henry VIII. as rendered deans, chapters, and bishops, liable to the penalties of a *præmunire* in the discharge of their respective duties in the election and consecration of bishops in the Christian Church. Heartily concurring with the petitioners in the object of their petition, he did not yet know whether he could go with them in all their views, for he did not know the extent to which they wished their Lordships to interfere; but this he was anxious to say on his own behalf, that if there were any of the clergy, or any of Her Majesty's subjects, who wished to interpose any other than a wholesome check on the exercise of the unquestioned prerogative of the Crown—a prerogative which he hoped would ever remain unquestioned, because he thought it essential to the peace and benefit of the Church—he repeated, that if any persons went the length of wishing to alter the law, so as to trench upon the rights of the Crown to nominate bishops, then he, for one, was

not the man to go with them in such a scheme. On the contrary, he would be among the foremost to say "No" to it. But the reverend petitioners did not indicate that they had the slightest notion of such a change—they wished to be relieved from a cruel oppression—from an Act which, from the construction which had been put upon it, was nothing less than a direct persecution. With the prayer to be relieved from this persecution, it was that the petitioners came before their Lordships. Now, so far as the election of bishops by deans and chapters was concerned, he (the Bishop of Exeter) certainly thought the provisions of the Statute of the 25th of Henry VIII. was unmixed tyranny. He thought the course prescribed in the Statute of Henry VIII. which directed deans and chapters to proceed with the forms of election, accompanied by solemn religious service, and at the same time compelled them to elect any individual, however unfit they might conscientiously feel him to be, under the penalties of *præmunire*, was so monstrous and so oppressive that it was only necessary to mention it in order to secure their Lordships' sympathy with the petitioners in wishing to put an end to it. If the Crown directly nominated the bishop, and then suffered the Church to interfere in a proper, due and wholesome manner for the purpose of seeing whether the party so nominated was canonically qualified, and was not canonically disqualified, he should think such a law a proper law; and he hoped that Her Majesty's Ministers would take the matter into consideration, and that, while they preserved the prerogative of the Crown to nominate the bishops, they would endeavour to assert the cause of their Church, so that no unsound divine, no immoral man, no man disqualified by any cause which the canons recognised as a just ground of objection against consecration, should be admitted into the episcopal order. He hoped the Government would give that assistance to the Church. The ceremony of election was conducted with solemn forms, and accompanied by divine service. After the election was made and announced to the people, the electors, with all the assembled multitude, went and sang *Te Deum* in honour of the elected man; and if such an honour was to be done him, he ought to be known and felt by all to be worthy of it; else such a course of proceeding would be blasphemous if he were believed by many of those present to be an unworthy man. He begged to be permitted to say, that in these remarks he cast aside anything like allusion to any particular instance, and applied himself to the general question; and in any observations that he had made in reference to the possibility of an improper person being nominated bishop, he assured their Lordships that allusion to any particular individual was not intended. He might, however, be permitted to refer to events which had recently taken place. What had occurred at the late election of a bishop? On that occasion two of the electors, at least, thought that the individual nominated was such as they could not conscientiously vote for. Those individuals, he hoped — he was sure they ought—felt themselves bound to abstain from joining in the *Te Deum* in honour of the election of the individual elected. Here let him observe, that the very fact of a minority having voted against the person nominated, presented in the strongest light the unreasonableness as well as injustice of this statute. The guilt of a person disobeying the law is, in reason, just the same, be the number of those who join him in his disobedience more or less. The individual who refused to obey the Royal mandate, was as guilty of disloyalty if he voted alone as if a number voted with him; and yet such was the capriciousness of this statute that the law was not violated if the election took place; and, notwithstanding that they had been told on high authority that the very rev. Dean of Hereford had announced his intention of violating the law, by declaring that he could not vote for the person nominated by the Crown, no law was really violated, because the recusant Dean being in a minority, the election was not hindered or prevented. After the election the confirmation followed; and he must say that he hoped that the construction put on the Statute of the 25th Henry VIII. by part of that learned bench, which devoted so much of its time and extraordinary talents to the arguments on this question on a recent occasion—he hoped, he repeated, that the opinions of those two learned individuals who thought that the confirmation of the election of a bishop was a judicial act, would ultimately prevail as the law of the land. He was perfectly certain that the noble and learned Lord who presided with so much honour to himself over the Court of Queen's Bench would not be surprised if, when one-half of the learned bench expressed on a recent occasion a

judgment in conformity with the Gospel, with the rights of the Church, and the liberty of the subject, a Bishop should now venture to express his hope that that judgment might ultimately prevail as law. He would not believe, while a doubt could be entertained as to the construction of an Act of Parliament which would make it the *Magna Charta* of tyranny, that that construction would be allowed to continue; and in this case the equal division of the opinions of the Judges justified him in saying that it had been declared doubtful by the highest court in the land —so doubtful that that court itself could not solve the doubt—whether the Bishop of Hereford had been confirmed; and in not merely wishing, but in hoping, that the opinion that the confirmation of a bishop was a judicial act would ultimately prevail as law. It was urged, when the question was argued, that the consequence of deciding that the confirmation was merely a ministerial act, would be to confirm as bishop any one who might be nominated by the Crown, even supposing it possible that the Crown should ever nominate an individual suspected, or not only suspected, but convicted, of some atrocious crime. This, it was argued, demonstrated the absurdity and impossibility of the statute bearing the construction put on it by the Attorney General. What did the Attorney General say to that? Did he say, "You are putting a case which it is not decent even to suppose—a case which cannot happen." Had he said so, it would have been much. But, no; the hon. and learned Gentleman was so confident of the principle which he stood up to defend, that he did not scruple to seize upon the hypothetical case as testing the principle for which he contended. He broadly and pointedly argued that in such a case the Archbishop would have no choice but to obey the Act of Parliament. But did not this construction involve a consequence so monstrous, as really to amount not only to an absurdity, but to a moral impossibility? Was it not monstrous to say that the Archbishop of Canterbury, in the exercise of his sacred duty—of the duty which he owed to God, and which was prescribed by the Scripture—to say that the Archbishop of Canterbury, would be by the law bound to consecrate to the office of bishop a person convicted of an atrocious crime? [Lord CAMPBELL said, it was confirmation, not consecration, which was required.] The statute required that the person chosen should be confirmed and consecrated; indeed the one was a consequence of the other. At all events, the Archbishop was to consecrate, in despite of his knowledge of his utter want of canonical qualifications —in spite of its being offered to be proved that the person nominated was canonically disqualified. In spite of all this he was to consecrate him bishop, if he would avoid the penalties of *præmunire*. The noble and learned Lord said it was confirmation that was required. But still there remained the sacred duty of consecration, the non-fulfilment of which would be followed by similar penalties under the same statute. Now, if the Government were content to retain the right of nominating the Bishop, leaving to the Archbishop the unfettered discharge of his own duty to refuse consecration to an unworthy person— if, in short, they would permit some valid and sufficient check against the exorbitance of the Crown, and the Ministers of the Crown, in promoting to high and sacred offices, he would be content. But the Attorney General was not the only person who had stated extreme views upon this point. A much higher authority than he, one of the Judges of the Court of Queen's Bench—a noble and learned Lord then present, whose authority was of the very highest character—a man, elevated not merely by his rank, but far more by his high attainments—a man whose name would go down to posterity as the name of one of the most independent Judges of this or of any other age—had affirmed the same principle. He should quote the words of the noble and learned Lord as they stood reported in the public papers of the day. He was reported to have said—

"The duty of the Archbishop in the matter appears to me to be clear, and entirely apart from the functions of a judge. It is, in my opinion, more analogous to the duty of a returning officer at elections. His confirmation is necessary. If his inquiries lead him to the opinion that the appointment would be injurious, he can remonstrate. He can advise the Crown not to issue a *congé d'elire*. He may ask to be removed from the painful position of performing, or ordering to be performed, the duty of consecration after the election has been made. Even then he may still resort to the presence of the Sovereign, and pray to have the *congé d'elire* and the letters missive superseded. But even at the worst, if the Crown persists in nominating the person to be bishop, and if he is quite clear that the *congé d'elire* ought to be set aside, he may act as his conscience doubtless would dictate, and as some of the Judges of this court have acted, and resign the office which the Crown had given them. He may

resign. The present Archbishop, I have no doubt would do so after hearing the objections that were made to Dr. Hampden, if he did not consider that he would not be justified in such a course of proceeding."

That was the course which the Chief Justice of England thought that the Archbishop of Canterbury ought to pursue. He might resign; but, if the Archbishop of Canterbury could not conscientiously confirm the appointment of an unworthy person, and that the law enjoined him to do so, he did not hesitate to say that the law was in an atrocious state. See the position in which the Archbishop of Canterbury was placed; the noble and learned Chief Justice said he ought to resign; but could he resign? As far as he knew, it would be difficult, perhaps he might say impossible, for him to resign—there never had been a precedent; no Archbishop of Canterbury had ever resigned. Where was the matter to end? They must in some manner get rid of the Archbishop, and appoint another in his stead; but he, too, being a conscientious man, would refuse to confirm and consecrate; he too, therefore, must resign. And so they must go on, till they could find some man base enough for their purpose—some man, in short, who would consent to become Archbishop of Canterbury for the express purpose of consecrating an unworthy man to be bishop. Her Majesty's Prime Minister must go about like Diogenes, with his lantern, but for an opposite purpose—to find a dishonest man—a man dishonest enough to be made Archbishop of Canterbury, in order to accomplish the unholy task prescribed to him. But even if such a man were found, would the object be obtained? No; they would be as far from this as ever. For the dishonest nominee to Canterbury must himself be consecrated. Four bishops must be found to place the sacred vestments upon one whose assumption of them would be a desecration. Did any man believe that four bishops could be found so to disgrace themselves? What must then happen? Why, they too must resign. A Royal Commission must be issued to four other bishops, who also being honest men must resign too. Therefore, he would repeat, the result must be to extinguish the episcopate of England, to cut off the apostolic succession in our Church. There was no man, be he Churchman, be he Dissenter, or even Infidel, who would not join him in saying, that if the law were as some high authorities held it to be, so detestable an enactment ought no longer to pollute the Statute-book. But, whatever might be the state of the law at present, he ventured to believe that the great majority of their Lordships would go with the petitioners in saying that the law ought to undergo a change. In wishing this, he hoped and believed that the petitioners were not unreasonable; there was in the prayer of their petition nothing unreasonable or extravagant. They merely prayed that deans and chapters and bishops should not be visited with the penalties of *præmunire* for doing what was their manifest duty to God and the Church. There was not any church or community, Christian or unchristian, which would not seek for the change of such a law. He would appeal to the noble and learned Lord near him, who was, he doubted not, attached to the Church of Scotland, of which he understood him to be a faithful communicant, and he felt perfectly sure that that noble and learned Lord would shrink with horror from any attempt to impose upon his Church anything like that tyranny which by the construction of this statute was sought to be forced upon the Church of England. Their Lordships would not have forgotten the recent events which had occurred in the Church of Scotland, in consequence of an attempt being made to require clergymen to induct a presentee into a benefice. His noble Friend opposite (the Earl of Aberdeen) had, with reference to that subject, brought in a Bill which had much tended to soothe down the agitation prevailing in Scotland—a Bill which was now law, and which enacted that it was only when presbyteries were convinced that the objections raised to a presentee were not well founded that they should be required to proceed with his trials and examination; and it was only if they found him to be well qualified for the ministry that they were to receive and induct him into the benefice. That was the utmost which was required from the Church of Scotland; and now he asked their Lordships—a great majority of whom were attached to the Church established in this realm—he put it to them whether they would consent that their own Church should be subjected to greater oppression and degradation than was a Church of which they were not members? They might withdraw the support of the State from the Church, but they could not unchurch the Church; and he begged to assure their Lordships that the Church of

England would never commit suicide. For himself and his right reverend brethren, he was justified in saying that they were prepared to quit those walls, at the command of the courts of justice, if it were to become law that they should do so; and if their Lordships and the other House of Parliament and the Crown decided that such should be the law. They were content to give up all their possessions—not those alone which they derived from the Church, but all their goods and chattels. They were content to undergo perpetual imprisonment if the law so commanded. They would suffer patiently every loss, every species of persecution which might be ordained; but he would tell their Lordships what they would not do—they would not do that which the law of God forbade. With the blessing of God, and in the strength of God, they would go forth—but they would never, never betray His Church, never wilfully and deliberately violate His law. They were told what were the qualifications demanded for the sacred office, and with the blessing of God they would never consent to bestow it upon an unworthy person. If the Minister of the Crown should recommend the appointment of an unfit person from a malicious motive—a charge which he did not think would ever be made against Her Majesty's present Government—yet if such did happen to be the case, if the Ministers recommended through error, or through the fallibility of human nature, a person manifestly notoriously unworthy, they would never consent, be the punishment what it might, be the consequences however severe, to confirm the nomination. He was not one of those, if there were any such, who wished that the Church should be separated from the State. He rejoiced and was thankful to see the Church established in this country; for he believed in his conscience that the establishment of the Church was of the utmost service in advancing the great end for which the Church itself was ordained. There were inconveniences which arose from this connexion. As long as these were inconveniences merely, they should be submitted to; and as long as nothing of a sinful compliance was required, the bishops and clergy would be ever found obedient and submissive to the law. He trusted that he might be permitted to say, that he hoped that the two learned Judges who differed from the Lord Chief Justice, might ultimately be found to be right in the conclusion to which they had come. He adverted to this point again in consequence of a document having been recently met with by him which seemed to him to be conclusive. He would beg leave to read it to the House; but before he did so, he wished to remind their Lordships that after England had separated herself from the Church of Rome, before the Articles or the Liturgy of our Church were drawn up—before there were any authoritative institutions issued for men to guide themselves by—it was resolved by the wisdom of the men of that day—wisdom which might be compared not disadvantageously with that of any age or any country—to take counsel how they might provide for the wants of such an emergency. It was decided to advise the King to call upon the bishops and clergy to give to the people an exposition of the Christian doctrine, which would set forth the whole duty of a Christian man. The book which he held in his hand was a reprint of the result of their labours—it was entitled *The Institution of a Christian Man.* The work was put forth in the reign of Henry VIII., under the authority of that King. For much of it they were indebted to that great and illustrious prelate, Archbishop Cranmer, who, although there were several particulars of his life and character in which he was to be condemned, was nevertheless a shining light and ornament to the Church. He thanked the noble and learned Lord for doing justice to Cranmer. But he must be permitted to say, he thought the noble and learned Lord had gone too far in speaking of the recantation of Cranmer as not worse than St. Peter's. There was one great distinction, which removed the case of Peter to an incalculable distance. When he denied his Lord, the Holy Spirit had not been given, as it was given to the Church after the Ascension; Cranmer, therefore, sinned more against grace than Peter. Again, Peter's fall was brief, and his repentance immediate; Cranmer denied the truth in which he believed four or five times—he denied it as long as he had any hope of life, though in the end, in his latter moments, under the influence of the Holy Spirit, he nobly redeemed his previous errors. He would say that to no man was the Church of England so much indebted as to Cranmer. To him they owed the Articles; for although they were not formally drawn up till some time after, yet the great body of

them were prepared by him: to him they owed the Homilies, the Book of Common Prayer, and, not least, to him they owed the Preface to the Bible—a work the more precious and valuable from its being the first to assert among us the right of every Christian man to read his own Bible. *The Institution of a Christian Man* had been prepared by Cranmer; it had been submitted to the two archbishops, and to all the bishops, and to the most eminent divines and doctors, and corrected by Henry VIII. himself, with his own hand, as appeared from the preliminary statement given with the volume, setting forth that it had been issued by the authority of "His Highness." Henry VIII. having corrected it, it was printed, and the copy containing the autograph of Henry was deposited in the Bodleian Library. Now, one of the important facts to be recollected in this case was, that the book to which he was referring appeared, not before, but after the 25th of Henry VIII. That Statute passed in 1533. The book, which appeared in 1537, took some considerable time in the compilation, and the King spent five or six months in its correction; and he might be permitted to add, that at this hour the manuscript of Cranmer's comments, or the King's corrections, was in the British Museum. At that time seven sacraments were recognised in the Church of England, and the passage which he was about to read adverted to the Sacrament of Orders:—

"The second point, wherein consisteth the jurisdiction committed unto priests and bishops by the authority of God's law, is to approve and admit such person as (being nominated, elected, and presented unto them to exercise the office and room of preaching the gospel, and of ministering the sacraments, and to have the care and jurisdiction over these certain people within this parish or within this diocese), shall be thought unto them meet and worthy to exercise the same, and to reject and repel from the said room such as they shall judge to be unmeet therefor. And in this part we must know and understand that the said presentation and nomination is of man's ordinance, and appertaineth unto the founders and patrons or other persons, according to the laws and ordinances of men provided for the same. As, for an example, within this realm the presentation and nomination of the bishoprics appertaineth unto the Kings of this realm; and of other lesser cures and personages, some unto the King's Highness, some unto other noblemen, some unto the bishops, and some unto other persons whom we call patrons of the benefices, according as it is provided by the order of the laws and ordinances of this realm. And unto the priests and bishops belongeth, by the authority of the gospel, to approve and confirm the person which shall be, by the King's highness, or the other patrons, so nominated, elected, and presented unto them to have the cure of these certain people within this certain parish or diocese, or else to reject him, as was said before, from the same for his demerits and unworthiness."

Now, this work, he repeated, came forth with the authority, not only of Cranmer and of all the bishops, but of the King himself. It was a public—a State document. It must, therefore, be taken as *contemporanea expositio* of the Statute of 25th Henry VIII., which preceded it only by three or four years. If this was the law, as indeed all possible authority proved it to be, then the confirmation must be held to be a judicial act; and two great Judges—he would not say as great as the noble and learned Lord—but two great Judges of the same court had stated such to be the law. In conclusion, the right rev. Prelate was understood to assert the existence of an analogy between the power of the bishops to refuse to induct a clergyman into a benefice bestowed by the Crown, on proved canonical unfitness, and a power in the Archbishop to refuse to proceed to the consecration of a bishop on the same grounds. The right rev. Prelate closed his address by expressing a hope that the law, if proved to be so defective, would be altered, and moving that the petition do lie on the table.

The LORD CHANCELLOR said: I do not anticipate that much difference of opinion will be found to exist between myself and the right rev. Prelate on the main point of the question. The right rev. Prelate began by stating that of nothing was he more convinced than of the necessity of preserving the prerogative of the Crown in the appointment of bishops. He also stated that he would abstain from discussing matters of recent occurrence, particularly certain proceedings in the Court of Queen's Bench.

The BISHOP of EXETER: I said no such thing; what I stated was, that I would not go into particular points connected with Dr. Hampden.

The LORD CHANCELLOR: That is to say, the right rev. Prelate was ready to discuss everything with regard to the proceedings except points personal to the individual they affected. I do not think my impression of what the right rev. Prelate stated was very inaccurate; he only draws a distinction between the proceedings and the individual they relate to. I understand the right rev. Prelate also to express a hope that what has recently taken place in the Court of Queen's Bench may be recon-

sidered, and that the decision would be reversed.

The BISHOP of EXETER: I did not state that steps ought to be taken to reverse that decision.

The LORD CHANCELLOR: I am unfortunate in so much misapprehending the right rev. Prelate; but certainly I shall abstain from discussing what has taken place in that court at all, principally, because the Chief Justice of that court is present; from him anything respecting it would better proceed, and I believe he is ready to give any explanation. My object in rising is merely to state what the law is at present, and what it will be if the prayer of this petition is granted, or what the right rev. Prelate suggests be carried into effect. As the law now stands, and as it has stood for three centuries, the right to appoint bishops is vested absolutely in the Crown. That law the right rev. Prelate wishes to alter. [The Bishop of EXETER: No!] Then the right rev. Prelate likes the law as it is. [The Bishop of EXETER: No, no!] The right rev. Prelate, then, neither likes the law as it is nor as it is not! The law is, that the Crown shall appoint the bishops without reference to any other authority or power intervening between the appointment and its confirmation. How was that done by the Act of Henry VIII.? A form of election by the Dean and Chapter was preserved. The petitioners pray that the penalties attached to a refusal to elect be done away. Suppose the Crown took away those penalties; the Dean and Chapter might then either elect the person appointed by the Crown, or they might not. Does not the Act expressly say the Dean and Chapter shall elect the person named by the Crown? Asking to be relieved from the penalty was, in fact, saying—Give to us, the Dean and Chapter, the power of electing the bishops. It was a claim to a veto, or a right not to elect the party named by the Crown. The right rev. Prelate was favourable to the right of appointment remaining in the Crown; but he wished some other ecclesiastical authority, he did not explain what, whether the Archbishop or an assembly of the Church, to intervene between the appointment and its completion. The effect of it would be simply this: the Act of Henry VIII. makes certain matters matters of form; but the real power is reserved to the Crown. The proposal of the petition, and of the right rev. Prelate, has exactly the same object, only in another shape; the difference being that the petitioners seek to make the nomination of the Crown the form, and the authority of the Church the actual power. I cannot say I am prepared to go that length; and if your Lordships are not prepared to say that the arrangement made at the Reformation, and then considered necessary for the preservation of its doctrines, shall no longer be a security—that the appointment of bishops ought not remain in the Crown, but shall be vested in the Church, then, as you value the Reformation—as you value the principles on which it is founded, and the blessings you enjoy from it, you ought not for a moment to entertain an idea of making an alteration in the provisions by which it is secured.

The BISHOP of CHICHESTER said, that the subject was of the utmost importance, and he did feel that the whole question was not before them. He did not think the prerogative of the Crown was in any way assailed by saying there was yet another question involved in the election of a bishop. The noble and learned Lord on the Woolsack had spoken of the Act of Henry VIII. as a provision simply for guarding the prerogative of the Crown, in the nomination of bishops, against encroachment on the part of its own subjects. But he need not advert at any length to the arguments adduced in the Court of Queen's Bench; he need only remind the House that it was stated there over and over again, while high legal authority and much historical evidence led to the same conclusion, that such was not the object of the Act; it was intended simply to exclude the power of the Pope of Rome. If what the noble and learned Lord had stated must be received as correct, he feared they must prepare for a crisis in the history of the Church in this country. The bishops were prepared to submit to all that the law required of them, but they could not submit to a sinful compliance with the interpretation now put upon it. His sense of duty compelled him to say that if this doctrine prevailed, they must run the risk, if not the certainty, of a schism in the Church. He had felt it his duty to state his impressions with respect to this question; it was one requiring great caution and deliberation, and most serious attention ought to be bestowed on it by the Ministers of the Crown.

LORD DENMAN said, that it did not appear to him to be a very convenient or proper course for a Judge to enter into

discussion in that place respecting his own administration of the laws in a court of justice. He could only say, of this case, that on no occasion to his recollection had he devoted so much time or bestowed so much inquiry upon any subject which had come before him, nor did he recollect any subject which had occasioned him greater anxiety. So that, if he had erred in any way, it was not without the most careful endeavour to prevent it, and the most diligent search after the truth; he would add that never, upon any occasion, had he risen from an inquiry with a more perfect conviction that he had the good fortune to arrive at it. He felt the deep responsibility which rested upon him, when he came to that conclusion in opposition to opinions which he so justly respected; but having done so, he as a Judge was not entitled to withhold it. However great the respect he felt for his learned brethren, and notwithstanding the extreme pain with which on every occasion one Judge differed from another on questions of great interest and importance, still that Judge must pronounce the dictates of his own conscience, and give full effect to his own opinion. He was, however, far from thinking that any expression that fell from him on that occasion could stand the test of the admirable keenness and sagacity with which the right rev. Prelate had observed upon it. But he might say, with regard to the particular passage on which the right rev. Prelate had most enlarged, referring to the alternative of the Archbishop's resigning, that the report was not exactly correct. He had mentioned that not as an alternative provided by the law, but as the last resort of that high functionary, if required to do an act condemned by his own conscience; and he had first spoken of the impossibility of supposing that such a case should arise. A deacon was not ordained without inquiry into his life and conversation; he did not become a priest without renewed inquiry; when the priest was recommended as one fit for the office of bishop —nominated by the Crown, and elected by the Dean and Chapter, and the Archbishop approved of the election and nomination; was it to be maintained that the result of all these advantages was to place him in a position in which all his enemies might have an opportunity of bringing forward any scandal against him?—in fact, that these presumptions in his favour should place him in a position in which all mankind might, if they pleased, come forward and indulge any prejudice against him? He would not, however, enter on the argument, but he would merely state what it was that the Judges were called upon to do in the late proceeding in the Court of Queen's Bench. They were called on to issue a *mandamus* directing the Archbishop to hear certain objections against the Bishop of Hereford, on this specific ground that, according to the ancient practice, before confirmation, the appearance of objectors having been challenged, once at the church door, and once in the church, the Archbishop was bound to hear any objectors whatever prefer any objections whatever —in any country or in any age a practice not proved to have obtained—a one-sided proceeding, which provided for the assumed fact that no opposers would appear, but made no provision for hearing them, or urging their allegations if they did appear. In other ceremonies such forms had kept their place, but merely as matters of form. But on the late occasion, the form was sought to be converted into a practice powerful enough to set aside the appointment of a bishop by the Crown. For as his noble and learned Friend had truly observed, the power could not in fact be in the Crown if the Archbishop had a power, before confirmation, to call upon all opposers to come forward—to hear their objections—and, upon his opinion upon those objections, refuse the confirmation and consecration of the person nominated by the Crown. One expression had dropped from the right rev. Prelate (the Bishop of Exeter), as to the opinions of his (Lord Denman's) two learned brethren on the bench who had differed from him. He had called them "the friends of the liberty of the Church." He had noted the phrase, that he might found upon it this observation, that, in his opinion, no one who had an opportunity of considering the subject, could doubt that his learned brother Mr. Justice Erle and himself had conferred a great benefit upon the Church by putting a stop to the issue of the writ of *mandamus*. A document had been read by the right rev. Prelate, to which he had attached great weight. The right rev. Prelate had said, that this document showed the intervention of the spiritual authority to have been at that time contemplated in the appointment of Prelates. He (Lord Denman) would not commit himself to any opinion on the value of this argument; but he thought it clear that the paper referred to furnished an argument on the other side, which was also deserving of consideration. For if the King

and the Archbishop had their minds turned to that very subject, and yet had abstained from interfering with the Act of Parliament, this might be thought a proof that the spiritual authority could not interfere, as of right, with an appointment made by the Crown, though it might act, as it had in later times, in the way of remonstrance and persuasion, before the appointment was made. With respect to the petition presented by the right rev. Prelate, he did not think so harshly of it as his noble and learned Friend (the Lord Chancellor). He looked at it as merely seeking the repeal of the penalty of *præmunire*, as affecting certain of the clergy; and, as in his (Lord Denman's) opinion, the Archbishop was imperatively called upon to confirm the election of a bishop, he thought that penalty unnecessary. Indeed the penalty of *præmunire* was in its own nature objectionable, and unworthy of a civilised country. No man ought, for any offence, to be placed out of the protection of the law, and he should gladly see the title *præmunire* expunged from our code. He thought he could suggest a much better remedy in the present case, and would refer to another document, probably also penned by Cranmer, and approved by a much better King than Henry VIII.—an Act of Parliament passed in the first year of Edward VI. (The noble and learned Lord here read the repealed Statute of Edward VI., conferring on the Crown the deirect appointment of bishops.) The same power was given to the Crown with respect to Irish bishops by an Act of Queen Elizabeth, which was still in force. An Amendment of the 25th Hen. VIII., by substituting this simple process for the cumbrous machinery of *congé d'élire* and *lettre missive*, would be a great improvement of the law, and would avoid the scandal of similar questions arising in Westminster Hall for the future. To this extent he should be happy to lend his aid to the right rev. Prelate as a reformer.

Lord CAMPBELL highly approved of the line of conduct pursued by his noble and learned Friend; for he considered it would be most inexpedient as well as derogatory to the high character which he maintained, and the high position which he occupied, if he came before their Lordships in this irregular manner to justify the course which he took in his judicial capacity in the Court of Queen's Bench. No Judge, who had a proper respect for his character or his office, would set such a precedent. In the case to which such frequent reference had been made, the Court of Queen's Bench must be considered as having decided the question: true it was that the Judges were equally divided in opinion, but the rule of law in such a case was against the issuing of a writ of *mandamus*. In a recent important case which was before their Lordships, and in which the question was the validity of marriages in Ireland without the presence of a priest apostolically ordained, their Lordships were equally divided, and yet the judgment was delivered against the validity of such marriages; and such marriages were in consequence now held by the law of England to be invalid. The right rev. Prelate had anticipated frightful consequences as likely to result if the law were to remain as his learned Friend had laid it down in the Court of Queen's Bench, and had referred to the Act of 25th Henry VIII. as an Act which was passed when the Reformation was not completed; but that Act as it stood ought more properly to be regarded as the 1st of Elizabeth, when it was revived—a period when the Church was presided over by Protestant prelates of the greatest learning and ability, who had decided upon the proper mode in which to conduct the ceremonies and proceedings necessary to the appointment and consecration of a bishop. The right rev. Prelate compared this case to those cases which took place with reference to the appointment of Ministers in the Church of Scotland by lay patrons; and he had referred to an Act introduced by a noble Earl (the Earl of Aberdeen) by which a power was given to object to the sufficiency of any person appointed to a living in Scotland; but the right rev. Prelate ought to recollect that in Scotland and England, when a person was appointed to a living by lay patrons, the presbytery and the bishop had a full power to inquire into the morality, the doctrine, and the learning of the person so nominated, and to refuse to admit him if he was not deemed fit in any of these particulars. It had been laid down that the Crown, and the Crown alone, had the power of appointing bishops; but he (Lord Campbell) would ask, did it follow, that because the Crown had that power, a Turk, a Jew, or an infidel, was likely to be selected to fill the office of bishop by the Crown? Did it follow that there was any danger of such consequences, if the judgment of the Chief Justice of the Court of Queen's Bench was admitted? That such a result was likely to follow from ad-

mitting the decision of his noble and learned Friend, was, in his (Lord Campbell's) opinion, an exaggeration of the right rev. Prelate, for he could not imagine how any such consequence could follow. His noble and learned Friend had stated that the person appointed must be a priest who had been apostolically ordained; and he would ask, how could it be supposed that any danger to the Church could arise from that, when they considered the advantages which the Sovereign had in the way of ascertaining the most fitting person for the office? Could it be said that the Sovereign, with all the advice and assistance which the Crown could command, would not be as likely to come to a correct decision as to the most fitting person to fill a vacant bishopric, as any other authority, and be quite as well capable of ascertaining his learning, morality, and orthodoxy? The question before the Queen's Bench, however, was of a different character. It was whether all the world was to be permitted to appear at Bow church, and be there at perfect liberty to bring forward all manner of objections against the bishop elect. If the election was duly conducted, the person so nominated was still to be consecrated; and if they referred to the form of consecration appointed by the Church, and established by Act of Parliament, their Lordships would see that all necessary and due precautions were provided; and hence it was that it was not necessary to hear all persons who might come forward with objections before confirmation and consecration. (The noble and learned Lord read parts of the "Office for the Consecration of Bishops.") There was a sufficient test established by that form of ordination, and if the bishop elect refused to agree to it in every particular, he would not be consecrated. Was not that form a perfect guard against the danger which the right rev. Prelate feared? It was, in his opinion, a perfect guard against any such danger—it was the form which had prevailed for 300 years, and now, after such a lapse of time, were they to be called upon to decide against the opinion and practice of the ancient Church? True, the petition presented by the right rev. Prelate only prayed that the penalties of *præmunire* should be abolished; but did not the right rev. Prelate wish that the right of objection to the bishop should extend to all mankind? [The Bishop of Exeter: No.] Did not the right rev. Prelate wish that the law upon this point should be materially changed? If not, he (Lord Campbell) might concur with him as to the alteration of some forms; but he could not consent to such an alteration in the law as would in his opinion be fraught with danger, and which he, as a sincere friend of the Church of England, could not advocate.

The Bishop of ST. DAVID'S was unwilling to let it be supposed that all the statements of the right rev. Prelate received the unanimous and unqualified assent of every Member of that bench; and he was desirous of availing himself of that opportunity of expressing his opinion upon some of the subjects which had been brought before them. There were many parts of the right rev. Prelate's observations in which he most heartily concurred; but he would confess that he did not feel the same alarm for the state of the Church in consequence of the recent decision in the Queen's Bench which was felt by the right rev. Prelate who introduced this subject to their Lordships; and he would say, that from some expressions which had been used, and from the tone of his address, he regarded it as something like an augury of an approaching storm, which, unless it was prevented by the wisdom of the Legislature, would be calculated to shake the Church, if not the State, to its foundations. Though he assented to much of what his right rev. Friend had said, he would repeat it, that he could not agree in the opinion that there was any necessity for alarm as to the position of the Church. He could not agree with him in considering the power of the Crown in this matter, even as it now stood, and even if it were left as it now was, to be so alarming, so dangerous, so humiliating, so monstrous, and so tyrannical as had been represented. If the prayer of the petition had been for no more than an alteration in the law, so far as it affected the appointment, election, confirmation, and consecration of a bishop, he should have heartily supported it. He conceived it to be a prayer which probably echoed the real wishes of the greater part of the Church and of the country; for he did believe that the time had arrived, and that circumstances had arisen, when it was absolutely necessary that some change or other should be made in the law; and he was delighted, on that account, to hear his noble and learned Friend (Lord Denman) express a similar opinion. When it should have been proved by experience that the present system was mischievous and trou-

blesome, then, undoubtedly, it would be high time to make an alteration. Therefore, he agreed with both his right rev. Friends in desiring that there should be some change effected in the forms of the law. But some of his right rev. Friends went a great way further than this; and it would seem as if the inevitable tendency of what they proposed—though such might not be their intention—would be to make a transfer of the power which now rested in the Crown to some other. {The Bishop of EXETER: No, no!} He did not say that his right rev. Friend had stated to whom he proposed to transfer that power, but he did say that there was an argument which he had not yet heard answered, and which was advanced by his noble and learned Friend on the Woolsack (the Lord Chancellor) that the tendency and real aim of the prayer of the petition was, in some way or other, to accomplish that object—that it was to transfer the power now residing in the Crown, reserving the point as an open question to what other authority that power was to be transferred. Now, the utmost change that he (the Bishop of St. David's) was prepared to assent to, as at all desirable, was that an alteration should be made in the forms of the law, by which the power now substantially residing in the Crown should be really secured to it. At present, he was not prepared to go a single step further. He said also that the Legislature should not go one step further than that. With regard to the position of the Church upon this question, it did not appear to him that it was deserving of the epithets which his right rev. Friend had thought fit to apply to it; and he trusted that the feeling of alarm expressed by his right rev. Friend was not shared in by the great body of the community, whether lay or ecclesiastical. He trusted that there was not that deep discontent with the institutions of the Church which rendered it impossible to retain them without material and radical alterations. The right rev. Prelate, in alluding to the power of the Crown in the nomination of bishops, overlooked a modifying circumstance which had a most important bearing on the subject. His right rev. Friend had spoken as if the power hitherto exercised in substance by the Crown, and which might be, by an Act of the Legislature, still reserved and secured to it, was absolutely unlimited and unqualified. Now, it was not by any means a power of that description; and his right rev. Friend seemed to have forgotten that most important feature in the case, that when the Crown exercised this power it was most strictly limited as to the subjects upon which it was exercised. It was not a power of nominating anybody who might be thought proper, but it was a power the exercise of which was limited to a certain class of persons who, in the eye of the law, he must be permitted to contend, were all equally well qualified to be the subjects of election. And he did conceive that one of the errors or oversights of his right rev. Friend was that of making too great a distinction between the superior and inferior orders in the Church. He appeared to have forgotten that, after all, there were no qualifications that could be required for the functions of a bishop which were not also equally required for a presbyter. With respect to any other qualifications, they were comparatively immaterial. True, the choice of the Crown might not always fall absolutely upon the best qualified person; but the law presumed that, until the case was proved to be otherwise, all presbyters—the only class from which a bishop could be selected—were equally qualified to fill the higher office: it was simply the transfer of a man from one sphere, which he had been found capable of filling, to another which he was presumed, and might fairly be presumed until the contrary was proved, to be competent to fill. He said, then, that in vesting the head of the State with such a power as this, the Church was not submitting to a state of things of which any of its members had reason to complain as a matter of grievance, or as ground for interference by the Legislature. But it was obvious also that this was not the only limitation to which the power of the Government was subjected. There was another which he considered of equal importance with the one he had mentioned, and as an equally unquestionable reality—he alluded to public opinion. There never was a period in which the power of the Crown in the appointment of bishops was more subject to the wholesome and legitimate influence of public opinion than the present. And he would venture to go one step further, and say that there never was a time in the history of this country when there was less probability that public opinion would have either a less wholesome or legitimate influence on the matter. Therefore it did appear to him a remarkable circumstance that this should be the particular epoch in the history of the Church and the State, when public opin-

ion was to be sounded upon the question, whether it was or was not advisable to make a radical and fundamental alteration in the state of the law upon the subject. If that was not the meaning of this petition, or if it was not the meaning of his right rev. Friend, then he confessed that he had probably been wasting their Lordships' time as will as his own by dwelling long on a point of most trivial importance; but he thought he could not so far have mistaken the language of either of his right rev. Friends as to suppose they considered themselves addressing the House on any other question; but whilst he said this—whilst he contended that the state of things was not quite so deplorable as had been represented—he wished, on the other hand, in the most distinct manner, to express his unqualified assent to every syllable that fell from his right rev. Friend, and which he was glad to hear had received the assent of another right rev. Prelate, as to the force and effect of the act of consecration. He was well aware, and their Lordships well knew, that there might be great and reasonable difference of opinion. It might be a question whether the act of election, and even of confirmation, was simply ministerial; but with regard to the question whether the act of consecration was not a personal act, which bound in the most solemn manner the conscience of every party who engaged in it, he could not have the slightest hesitation in saying that he most fully assented and agreed in every syllable that fell from his right rev. Friends on the subject. On the whole, it did appear to him, that if his right rev. Friend had expressed the meaning of the petitioners, they had not only been labouring under an exaggerated idea of the evil of the present state of the case, but likewise that their view of the remedy which they proposed for it was exceedingly imperfect and confused. He might admit that the present state of things was not the best possible state. The wide difference that separated the present form of proceeding from those which prevailed in the primitive ages of the Church, was a consequence not of any improvement, but of corruption in the Church; but that was not the question for the consideration of their Lordships or of the Legislature. Where an evil was pointed out and a remedy was to be proposed, we had to compare the present state of things, not with one that existed in times long past, but with any which existed in our own days, or which by any legislative enactment we were able to bring about. He must say that, however bad the state of things in the Church of England might be in this respect, when we compared it with that which existed in other communities—and he would say in all other religious communities with which he was acquainted—he could not conceive the difference to be so disadvantageous, so mortifying to the members of the Church of England, as it must be in the estimation of his right rev. Friends. When he heard what was proposed as a substitute for the existing state of things, he should be better able to make up his mind whether it was desirable or otherwise. If the power which now resided in the Crown, or any portion of it, was to be transferred in any way either to an ecclesiastical conclave or to a popular assembly, he, for one, would rather retain our present institutions, with all their admitted anomalies and inconveniences, than he would accept either of what he considered to be infinitely greater evils, with the sense of imaginary danger. He had thought it his duty to state how far he was obliged to modify the assent which he could give to the proposition of his right rev. Friend. He could leave this question with perfect tranquillity in the hands of the Legislature, because, even if they should do nothing—even if the law should be allowed to remain in the state in which it now was—he did not think we should suffer any more intolerable grievance than we had been labouring under for many centuries. He entertained a hope that at some moment a wholesome change would be made in the form of the law; but whether the substance or not should be touched, was to him completely indifferent; or rather, judging from the light which had hitherto fallen on the question from the views that he had hitherto seen proposed, it would be better for the Legislature to permit the present state of things to continue substantially the same, than to open the door of innovation, of which no man could foresee the ultimate consequences, and which might threaten both Church and State.

The Bishop of EXETER: After having already occupied so much of their Lordships' time, he would not unnecessarily trespass longer upon it. But some things had been said by the three noble and learned Lords who had addressed the House, and by his right rev. Friend who had just sat down, which demanded from him some brief reply.

The noble and learned Lord on the Woolsack had astonished him by the principal remark which he had thought fit to make on what he (the Bishop of Exeter) had said on the respective rights of the Crown and of the Church in the appointment of bishops.

"The right rev. Prelate (said the noble and learned Lord) is willing and anxious that the Crown should have the absolute right of naming the person to be made bishop; but then the Archbishop must have a right to judge of the fitness of the person so nominated by the Crown. My Lords (said the noble and learned Lord), of what worth is the right to nominate, if another party is to decide on the qualifications of the person nominated?"

He was, he repeated, astonished to hear such an argument, if argument it could be called, proceed from such a quarter. Why, the noble and learned Lord knew by experience, better than any man in that House, that the power of nominating to preferments was of great value, even though others had a right and duty to judge of the fitness of nominees, and to reject them if they were unfit. The noble and learned Lord exercised—he knew not how often in every year—the right of presenting to benefices in the gift of the Crown, subject nevertheless to the right of the bishop to judge of the qualifications of the persons presented by him. And this right of the bishop was not a mere nominal one; it was one repeatedly acted upon. He had himself, since he had been bishop, often considered judicially the qualifications of parties presented to benefices, and more than once in cases of parties presented by the Crown. This right he had exercised, and should continue to exercise. It was a right distinctly stated by the great statute "Articuli Cleri," which declared not only that it should be the law in future, but that it ever had been in times past—thus recognising it as the common law of England. The terms in which this was stated were remarkable; for they applied expressly to benefices in the gift of the Crown, and were so large as to apply in their reason to all benefices, whether bishoprics or others:—

"Of the ability of a person presented unto a benefice of the Church, the examination belongeth to a spiritual judge; and so it hath been used heretofore, and shall be hereafter."

He would next advert to something which had been said by a noble and learned Lord, who, he was sorry to see, had since left the House (Lord Denman). That noble and learned Lord had agreed with him in wishing that the present course of proceeding in the election of bishops, with all its mockery and its profaneness, should be done away; and he had suggested that a course should be taken, which while it removed these scandals, would leave the power of the Crown such as the noble and learned Lord thought it ought to be—not only absolute in the appointment of bishops, but also without a right in any one to judge of the fitness of the Crown's appointment. This he had said would be effected by reviving the Statute of Edward VI., c. 2, which gave to the Crown the right of appointing bishops by letters patent. The noble and learned Lord had read to their Lordships the provisions of the statute to that effect; but he had omitted to read another part of the same statute, to which he must now call their Lordships' attention, and which he heartily wished the noble and learned Lord were present to hear. The Statute of Henry VIII., revived by the 1st Elizabeth, which was now the law of the land, required the Archbishop to consecrate the person elected, nominated, and presented to be Bishop under the penalties of *præmunire*. But the Statute of Edward VI. which the noble and learned Lord said would give to the Crown the same power as was claimed for it under the Statute of Henry VIII., and which, therefore, he desired to see revived, enjoined not the consecration of the person nominated under any penalty—no, nor did it enjoin consecration at all — it simply said that the person to whom the bishopric was so collated "may be consecrated"—thus recognising the right of the Archbishop to refuse to consecrate if the person were unfit.

He must now make some remarks on what had been said by the noble and learned Lord near him (Lord Campbell). That noble and learned Lord had rested his argument on what he must say perfectly astonished him, considering the high stations which his noble and learned Friend had filled, and the still higher, which, if he lived, he would probably be called to fill. He had read to their Lordships the questions put to, and the answers made by, a bishop at his consecration — and these, he said, were all the security for his fitness which the law contemplated, or which was in itself expedient. But was it possible that the noble and learned Lord could see in those inquiries and their answers anything more than a mere engagement for the future? And what if the

party was utterly untrustworthy? — what if he had been already proved guilty of perjury, or was otherwise utterly disqualified? He really could not permit himself to abuse their Lordships' patience by dwelling longer on such a matter. He turned, therefore, to what had been said by his right rev. Friend behind him. His prime argument had been, that a bishop must be taken from the presbyters of the Church, and, therefore, in that one condition they had a sufficient security. What was it possible that his right rev. Friend should think less security necessary for the qualification of a person nominated to be bishop, than was necessary for the holding of any inferior benefice whatever? No presbyter presented to a rectory or vicarage was exempt from inquiry by the bishop into his qualifications for the charge. Was less care to be taken in admission to the highest office of all? Again — did his right rev. Friend affirm that none but presbyters might be made bishops? Why, at a not very remote period of the history of this very Church there was a notorious instance to the contrary. In James the First's time, when the episcopacy of Scotland was restored, certain Scotch ministers, who had not received episcopal ordination, were to be consecrated bishops. Bishop Andrewes objected that they were mere laymen. Archbishop Bancroft admitted this to be true, but reminded Andrewes that in the ancient Church there were several instances of laymen being advanced at once to the episcopate, mentioning Ambrose of Milan, who was a mere civil officer. Upon this Andrewes assented, and the consecration proceeded. Such is the account given by Heylin in his *History of the Presbyterians.* Besides, his right rev. Friend ought to bear in mind that the Statute of Henry VIII. did not confine the Crown to presbyters; it spoke generally of the persons nominated by the Crown to be bishops.

Before he sat down, he thought it necessary to answer the demand made on him by all the noble and learned Lords, that he should state what he thought a fit and proper course to secure the right of the Crown, and the right which he claimed for the Church. Thus challenged, he hesitated not to say, that, while he thought that the Crown ought to have an absolute right to nominate the future bishop, the Archbishop must have a right, on specific objections being stated, judicially to decide whether the person be canonically qualified, or be canonically disqualified. If the Archbishop reject him, he would willingly see a right of appeal given to the party; and he would propose that the court of appeal should be the same as was constituted by a Bill now on their Lordships' table (Clergy Offences Bill) as a court of ultimate appeal in cases of heresy. He had the more confidence in proposing such a court, because it had been devised in a Select Committee on the Bill up stairs, at which all the noble and learned Lords had attended, and given their most valuable judgment. The result had been the unanimous agreement in constituting a court which should consist of Bishops and other divines, together with several Judges, both of the common law courts and also of the ecclesiastical courts. The right rev. Prelate thanked the House for the patience with which they had heard him.

Petition to lie on table.

House adjourned.

HOUSE OF COMMONS,

Tuesday, February 15, 1848.

Minutes.] New Member Sworn. — For Rye, Herbert Mascall Curteis, Esq.

Public Bills.—1° Agricultural Tenant Right.

Reported.—New Zealand Government.

Petitions Presented. From London Society of Mutual Communication for the Protection of Trade, that the Privilege now granted to Members of Parliament of Freedom from Personal Arrest may be Abrogated.—By Mr. F. Maule, from Free Presbytery of Arbroath, for Protection to the Free Church, Canton de Vaud (Switzerland).—By several Hon. Members, from various places, for and against the Jewish Disabilities Bill.—By Mr. Christopher, from Lincoln, for the Better Observance of the Sabbath.—By a great many Hon. Members, from various places, complaining of the Conduct of the Roman Catholic Clergy (Ireland), and for and against the Roman Catholic Relief Bill.—By Mr. Cobden, and Mr. Sandars, from Attorneys and Solicitors of Yorkshire, for Repeal of Duty on Attorneys' Certificates.—By Mr. Cowan, from Edinburgh, for Repeal of the Duty on Paper.—By Mr. Gregson, from Traders of Singapore, for Reduction of Duty on Pepper.—By Mr. K. Coke, from Guardians of the Docking Union, Norfolk, for Rating Owners in Lieu of Occupiers of Tenements.—By Admiral Gordon, from Aberdeen, and Mr. B. Smith, from Dunfermline, for Revision of the Stamp Duties.—By Lord D. Stuart, and other Hon. Members, from several places, for Repeal of the Window Tax.—By Sir F. Davie, from Dunbar, for Repeal or Alteration of the Bank Charter, and Banking (Scotland) Acts.—By Mr. J. Williams, from Beersellers of Macclesfield, Sutton, and Hurdsfield, for placing Beersellers on the same Footing as Licensed Victuallers.—By Lord R. Grosvenor, and Sir. J. Pakington, from Independent Order of Odd Fellows, Manchester Unity, of various places, for Extension of the Benefit Societies Act.—By Mr. Duff, from the County of Elgin, respecting the Bonding of British Spirits.—By Sir J. Pakington, from Worcester Board of Education, for Alteration of Law respecting Education.—By Captain Archdall, from Kilmore, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Bright, from North Berwick, for Repeal of the Game Laws.—By Mr. P. Grenfell, and other Hon. Mem-

bers, from several places, for Sanitary Regulations.—By Mr. S. Crawford, from various places in Ireland, for Alteration of Law of Landlord and Tenant.—From Southampton, respecting Salaries of Magistrates' Clerks.—By Mr. Cobden, and several other Hon. Members, from a great many places, for Retrenchment of the Naval and Military Expenditure.—By Sir J. Johnstone, from Shipowners of Scarborough, for Repeal of the Navigation Laws.—By Mr. Cobden, from Robert Owen, for Inquiry into the Condition of the People.—By Mr. F. Devereux, from Ardfert, for Alteration of Poor Law (Ireland) as to the Rating of Clerical Incomes.—By Mr. Cobden, from Clerks, Masters, and Matrons of Workhouses, of several places, for a Superannuation Fund for Meritorious Officers.—By Mr. B. Smith, from Queensferry, for Alteration of Law respecting Prisons (Scotland).—By Mr. Bright, from Finsbury, for Abolition of the Punishment of Death.—By Mr. Henley, from Oxfordshire, for Alteration of Law of Settlement.—By Mr. Benjamin Smith, from Queensferry, for Inquiry respecting Turnpike Roads, &c. (Scotland).—By Colonel Thompson, from York, for referring War Disputes to Arbitration.

THE LOSS OF THE AVENGER.

In answer to Mr. FITZROY,

Admiral DUNDAS stated that the *Avenger* received at Gibraltar a box containing every Mediterranean chart, and the receipt of Captain Napier for it was in the hands of the Admiralty.

PORTUGAL — THE PROTOCOL OF MAY, 1847.

Mr. HUME begged to ask Viscount Palmerston whether the engagements entered into by the Protocol of May, 1847, with the Governments of France and Spain, had been fulfilled, and whether we were free from them?

Viscount PALMERSTON: My hon. Friend will recollect that the first two parts related to an amnesty for political offences, and the last two to the elections. Those elections have taken place, and the Cortes are now assembled. Therefore undoubtedly the state of circumstances to which the Protocol related is past, and I have informed the Portuguese Government that there are no longer any grounds on which this country can interfere in the present state of Portugal.

AFFAIRS OF ITALY.

Dr. BOWRING rose to move for copies or extracts of correspondence on the subject of the Commercial League of Italy, He could not refrain, in doing so, from taking a passing glance at the state of political affairs in that country. It had been the unhappy destiny of Italy in modern times, notwithstanding all her former grandeur, her learning, her high position in the scale of nations, and the universality of her language, to fulfil the denunciation of the poet—

"Conquering or conquered, still to be a slave."

Whilst the great men of that country had poured the light of genius over the universal earth, and their claims to admiration had been recognised by the world, Italy herself had been condemned to a long period of darkness, from which she seemed about to emerge. He was not aware that any events had taken place of late years which had filled men of thought and hope with more agreeable anticipations than the events which had occurred in Italy; and sure he was that that House would join in the prayer that they might lead to the great consummation of Italian freedom, and that Italian freedom might be associated with Italian happiness. No one could have read without paying a tribute of admiration to the noble Lord the documents which had been laid on the table of the House, and the communications with the Austrian Government as to the territorial arrangements and political relations of Italy. No doubt, in many respects the position of Austria was an embarrassing one. She had conveyed her policy to Europe in one short emphatic phrase; she declared that, as far as she was concerned, Italy was only a geographical abstraction, a mere name. She saw nothing that was common to the Italian people, nothing in the universality of its language, nothing in the character of its literature, nothing in the sentiments of ancient nationality which pervaded the Italian peninsula, nothing in those great influences which had been acting for centuries on the Italian mind. Prince Metternich, who ought to be keenly alive to all that was passing in Italy, saw in the demand for reform only a subversive spirit at work; the policy of Austria towards free and independent nations such as Switzerland had been directed to one great object, to prevent the establishment of a free and national Government; acting upon the maxim *divide et impera;* and impeding the consolidation of that influence which free and constitutional States ought to exercise. Austria had been compelled within her own territories to make great concessions to public opinion, to allow to Hungary a constitutional Government. He hoped that a reconsideration of her position in Italy would induce her to make similar concessions to the people of Lombardy. From the time of Dante downwards, it was remarkable how many evidences

were to be found of a mutual sympathy between those two portions of the Austrian dominions—how Lombardian hopes and feelings had vibrated to Hungary from Lombardy, and Hungarian feelings to Lombardy from Hungary. And in what language did Prince Metternich designate what was passing in Italy? He made no allowance for the force of opinion which had influenced the Sovereigns of Italy, and induced them to float with that great tide of public sentiment which was flowing towards constitutional government. The action of the current of national feeling he ascribed to the machinations of the "chiefs of sects," who had, he declares, for some years undermined the institutions of the peninsula. The progress of events he called the utopia of an advanced radicalism, and saw with horror the influence of public opinion such as existed in Switzerland. He did not know how any statesman could expect the Italians to reverence his authority, or could hope to exercise influence within the peninsula, except by associating himself with Italian feelings, and trying to represent Italian interests. Nothing could be more satisfactory than the language which the noble Lord had held in his despatches to the Austrian Government. Whilst recognising the right of Austria to some territorial possessions in Italy, the noble Lord had laid down distinctly and broadly the important principle of

—"the right which belongs to the sovereign power in every State to make such reforms and internal improvements as may be judged by such sovereign power proper to be made, and conducive to the wellbeing of the people whom it governs."

Most admirable was the advice offered by the noble Lord in reference to this principle:—

"That right it appears that some of the Sovereigns of Italy are now willing and prepared to exercise, and Her Majesty's Government would hope that the Government of Austria may think fit to employ that great political influence which Austria legitimately possesses in Italy with a view to encourage and support those Sovereigns in such laudable undertakings."

The noble Lord went on to point out the causes which had produced the present state of irritation and anxiety prevailing in some quarters, and remarked, almost prophetically—

"Her Majesty's Government have been convinced, by the information which has reached them from a great variety of quarters, that deep, widely-spread, and well-founded discontent exists in a large portion of Italy; and when it is considered how full of defects and how teeming with abuses of all kinds the present system of government in several of those States, and more especially in the Roman States and in the kingdom of Naples, are known to be, it cannot be surprising that such crying evils should generate the strongest discontent; and it is very possible that men who feel the full intensity of the grievances under which they now are and have for a long series of years been suffering, and who see no hope of redress from their present rulers, should take up any scheme, however wild, from which they may fancy they could derive a chance of relief."

The noble Lord then proceeded to do justice to the admirable and excellent man lately placed at the head of the Pontifical dominions, whose knowledge of the state of the Italian mind, and conviction of the deeply-rooted evils which has spread through the whole of his territories, had induced him to undertake the great work of reform, and to aid it by those religious influences which he alone was able to bring to bear upon the subject. The noble Secretary for Foreign Affairs observed, that—

"This observation does not indeed apply with full force to the Roman States, because the present Pope has shown a desire to adopt many of those much-needed reforms and improvements which in 1832 Austria, in conjunction with Great Britain, France, Russia, and Prussia, urgently advised the late Pope to carry into execution; and it may be hoped that if the Pope be encouraged and assisted by Austria and the other four Powers, in removing the grievances of which his subjects have long complained, the discontent which those grievances have created will soon die away."

The advent of the present Pope to power had enabled him to give effect to the yearnings of the Italian mind; his conviction of the enormous extent and deep rooted foundation of the evils and grievances by which his territorial dominions were overspread, induced him to undertake the great work of reform, and to associate it with the religious influences which, as the head of the Roman Catholic Church, were placed under his control. With regard to Naples, the noble Lord offered some suggestions on which Austria would do well to act:—

"But there are other States in Italy, and more especially the kingdom of Naples, where reforms and improvements are required almost as much as in the Roman territory; and Her Majesty's Government would hope, that as no European Power is more interested than Austria in preserving the internal tranquillity of Italy, so will the great and well-known influence of Austria in Naples be beneficially exercised in encouraging those reforms and improvements which will tend to remove the discontent from which alone would spring any dangers by which that tranquillity is likely to be threatened."

He should be greatly grieved if it were

supposed that he would desire to see this Government meddling in the internal affairs of other States; but indisposition to interfere appeared to him perfectly compatible with a great sympathy for the maintenance and spread of free institutions. He desired to see the establishment of liberty in every portion of the globe, and had the strongest wish that the moral influence of the Government and people of England should be generously and liberally exerted in that struggle of the oppressed against the oppressors which was going on throughout Europe. The religious influences of Rome, the free-trade principles of Tuscany, he trusted, would gradually spread through the Italian States, and become the lawgivers of the Italian people. Though Austria might feel some alarm at the political and military power of Sardinia, it was to be hoped she would see the necessity of consenting to those ameliorations which would add so materially to the happiness of her Italian dominions. Then might they look forward with confident expectation to the establishment, in every one of the Italian States, of free and representative Governments. The interests of peace, the interests of liberty, the interests of mankind, required this. The power which the Pope exercised rested only in the individual, and was referable to a happy accident; but it ought to be the object of British policy to assist with all our moral influence the consolidation of a free Government in the various States. It had been said with great truth, that in the Italian Free Trade Confederation, Sardinia occupied much the same place as Prussia in the Zollverein. The conduct of Carlo Alberto had been in every respect most honourable to him; he had gone from step to step without bloodshed and violence, towards the establishment of a constitutional form of government, which would be most acceptable to his people. Tuscany had always been a particularly interesting portion of the Italian peninsula, especially to those who had seen the happy effects of the development of the principles of free trade in the felicity of the Tuscan people. The influence of Tuscany was widely spread; no doubt it was she who had contributed the largest portion of illustration to the literature of Italy; and it was matter of congratulation that the Grand Duke had not been backward in moving in the path of constitutional reform. With respect to Naples he could not speak without some apprehension and hesitation; but even there the good seed had been sown, and would, no doubt, grow to a flourishing tree; and he could not doubt that the Sovereign, taught by long and sad experience, and impelled by the events passing around him, would yield to the general feelings of the Italian people. The Sicilians, too, had sought to burst their bonds; and if blood had unfortunately been shed, we could not forget it was the example and instructions of England which awakened in the minds of the Sicilian people the desire for independence. No one could have trodden Sicilian ground without hearing the name of Lord William Bentinck spoken of with intense affection; and through all the vicissitudes of her late history there was no Sicilian who did not ardently expect the day when his countrymen should be entrusted with the making of Sicilian laws, and the public mind should be reflected in its institutions. The idea of the Commercial League appeared to him to have been most fortunate. There were no means by which Italian feeling could be so effectively condensed and brought to a focus as by the establishment of a league of that nature. No more federalism than free communication was desired. Although a strong national feeling pervaded Italy generally, the individual States were distinguished by long-cherished local prepossessions and peculiarities. Much that characterised the Neapolitan was not to be found in the inhabitants of Tuscany; whilst strong points of difference were to be found between the Roman and the Venetian, the Lombard and the Sicilian. The commercial spirit of Italy was still alive and active. Notwithstanding the great changes that had been effected by the discovery of the countries beyond the Cape, and the alterations that had been introduced in our mode of intercourse with the Oriental world, Italy had preserved a large portion of the trade of Europe, and many of her ports were distinguished for the excellence of her mariners and the enterprise of her merchants. But he hoped the Italian Commercial League would guard against making that mistake which had been made by the Germans on the Rhine. He trusted that their tariff would recognise no discriminating duties, and that while facilitating communication among themselves, they would not raise a barrier to the friendly intercommunication with other nations. That was the great fault which had been committed in Germany. If the tariff of Tuscany, for example,

should be made the groundwork of future commercial legislation, he had no doubt that Italian commercial glory would again return—that Genoa, Leghorn, and Venice —the great commercial marts of that peninsula would see the return of those days of splendour with which their remoter history was associated. He was not aware whether the noble Lord at the head of Foreign Affairs would find himself in a condition to make any communication to the House on the present occasion; but, certain as he (Dr. Bowring) was that the active intelligence of the noble Lord had been directed towards that interesting portion of the world—Italy, and considering as he (Dr. Bowring) did that the commercial interests of this country involved, in effect, the commercial interests of the world, he had no mistrust as to the welfare of Italy or of England being well guaranteed so long as they were in the keeping of that noble Lord. Without, therefore, trespassing any further upon the House, he begged to move that copies or extracts of correspondence on the subject of the Commercial League in Italy be laid upon the table of the House.

Viscount PALMERSTON: My hon. Friend has no doubt called the attention of the House to some of the most remarkable and interesting events which have occurred in our times. It is impossible for any man to witness the progress which constitutional opinions and institutions are now making in Italy without feelings of the deepest and liveliest interest. Sir, Italy is not only at all times one of the most interesting countries from its peculiar position, but one may say, that its history has been the most remarkable of any country on the face of the earth; for it has gone through every change of political condition —from being the mistress of the known world to being reduced to a state almost of political extinction. I trust that a brighter day is now dawning upon that country, favoured as it is by nature in many respects —the birthplace of some of the greatest geniuses that have ever lived, though unhappily Italy has been for a long time unlucky in respect to its political condition. The confidence with which we may look to the future prospects of Italy is founded on the gifts which nature has bestowed upon the people who inhabit that land, for in the political vicissitudes to which the country has been subject, the natural vigour of the mind of the Italian people, the extent of their intellectual resources, and I may say the splendour of their genius, has invariably made way, and even in the darkest periods of their political history, there have shone forth bright examples of intellectual ability, which have been not only the ornament of the country, but the admiration of the civilised world. It is gratifying to see that the progress which rational liberty is now making in Italy is brought about by the harmonious accord of sovereigns and people. It is upon that circumstance more especially that I venture to found my hopes that the improvements which are now making will be permanent and stable, because they are founded upon mutual concord, and are therefore less likely to be shaken by any future and untoward events. My hon. Friend has adverted to the position in which Austria stands with respect to the events now passing in Italy. It is a satisfaction to me, and I am sure it will be gratifying to the House, that I should be able to say, that as far as Her Majesty's Government are informed of the intentions of the Cabinet of Vienna, they see no reason to apprehend that the policy of that Cabinet will be to meddle in any way whatever of hostile interference with the events which are taking place beyond the Po. I have indeed within the last four-and-twenty hours received communications from the British Ambassador at Vienna, which contain very satisfactory assurances on that subject. That course is one which might naturally be expected from the prudence and the wisdom of the Austrian Government; and I am happy to find it is the course which that Government is likely to pursue. With respect to the particular transaction to which my hon. Friend's Motion relates, the formation of the Commercial League, I should rather wish my hon. Friend and the House to allow me to defer to some future period the communication of the diplomatic correspondence on that subject. For this wish, I will shortly state the reason, if it is not obvious to the House. That Commercial League is at present founded only in principle. The details of the arrangements are still matters of negotiation between Members who seek to form it. If I were to lay before this House communications which have been confidently made to our representatives at the different Courts of Italy of the views with which the several Governments are entering into that negotiation, I am sure my hon. Friend will see that such publication would tend, perhaps, to defeat the purpose

which he and I, and I am sure every Member of this House, would wish to see accomplished. The mere ordinances which form the basis of that future league have already been made public. I can have no objection whatever to lay them on the table; but I should wish not to be asked to lay on the table any confidential communications which have been made to us as to the present state and progress of the negotiation. I can assure my hon. Friend and the House, however, that we have witnessed that union of the different States of Italy, with a view to establish some uniform system of commercial intercourse founded on a basis of commercial liberty, with the greatest interest and sympathy; and as far as it becomes the Government of this country to tender advice or express wishes upon this subject, my hon. Friend may be assured that no proper effort shall be omitted by us to persuade the States, of whom that union is composed, to found the tariff, and the calculated regulations of the tariff, upon principles which shall be consistent with the utmost development of commercial intercourse and freedom. My hon. Friend has adverted to the share which the British Government may be disposed to take in regard to the political events now passing in Italy. I entirely agree with my hon. Friend, and in that which I have no doubt is the opinion of this House, that whatever may be the wishes, whatever the gratification with which Her Majesty's Government may see the progress of political events in Italy, it is not fitting that the British Government should interfere, further than may be required with a view to the best interests of the parties concerned. But I am satisfied it will be gratifying to the House, as a proof of the confidence with which England is looked to by parties in remote quarters of Europe, and engaged in affairs more exclusively concerning themselves, that I should say that Lord Minto is gone from Rome to Naples, in consequence of a desire expressed by the Sicilians on the one hand, and by the Government of Naples on the other, that the effective assistance of British diplomacy should be afforded towards a satisfactory settlement of the points in dispute between them. I am sure those who are acquainted with my noble Friend will feel that that task, delicate and difficult as it may be, cannot be placed in better hands; and that my noble Friend, in any advice which, upon the solicitation of the parties he may think himself at liberty to offer to them, will be actuated by the most disinterested and enlightened desire to bring them to such an adjustment as may be consistent with the happiness of the people, and the dignity and honour of the Sovereign.

Mr. BAILLIE COCHRANE was quite sure that the circumstance which the noble Lord had mentioned, of Lord Minto having been directed to go to the Court of Naples, proceeded from no want of confidence in those who, in the ordinary course of things, it might have been supposed would have been the parties to be charged with the mission. He felt confident that the language in which the noble Lord had expressed himself would prove to France, and to those Gentlemen in the French Chambers who had commented upon the conduct of the noble Lord on various occasions, that the principles of the English Government were those of constitutional liberty, and that their object was to develop, as far as they could, without an injudicious interference, the principles of constitutional liberty in every country. Those Gentlemen who paid attention to the French debates would, he was sure, feel a proud gratification at the tone of the noble Lord, and the language held in that House, as compared, he was sorry to say, with some of the speeches delivered upon the other side of the channel.

Motion withdrawn.

SHIPWRECKS AND COLLISIONS OF MERCHANT VESSELS.

Mr. HUME, in submitting the Motion of which he had given notice, said, it would not be necessary for him to urge its importance with a view to gain the attention of hon. Gentlemen to the subject. Three Committees of the House of Commons had already sat on the question of shipwrecks; one in 1836, another in 1841, and the third in 1842. The inquiry embraced a variety of topics, and the evidence was of a highly valuable character. The Committees recommended many important matters to the attention of the House; but the chief point on which they all concurred was, that whereas many cases of shipwreck had arisen from carelessness, ignorance, and a variety of other causes of that nature, they recommended that an inquiry should be instituted in all cases of shipwreck, with a view to collect information both for the Government and the public. The Committees had recommended that masters and mates of ships should be

examined, and should only be permitted to take charge of property and life when they were found qualified for doing so. He certainly was of opinion that a great depreciation of the character of our seamen had taken place of late years. Thirty or forty years ago the custom was to retain the seamen on board the merchant ships whenever they entered harbour, that they might acquire experience in navigation, as well as assist in all that was necessary to be done in shipping and unshipping the vessels; but since the establishment of docks, the moment a ship arrived in port the sailors were sent on shore, and no provision was made by the Government or the merchants to keep them together. It was certainly the duty of the Government to have instituted long ago an inquiry as to the cause of the deterioration which had clearly taken place in the seamanlike qualities of the men who navigated our merchant vessels. The object, however, of his present Motion was, that some official record should be obtained and kept as to the manner, and, if possible, the cause of shipwrecks. It appeared from the report of the Committee on Shipwrecks of 1836, that in addition to the ascertained number of persons drowned in the years 1816 to 1818, and in the years 1833 to 1835, the entire crews of 49 vessels were lost within the first period, and the entire crews of 81 vessels in the last period, whose numbers were not known; but, taking an average of 10 men to each vessel, this made a total loss of life, for the first period, of 2,228 persons, and of 2,686 for the last. The loss to the community, during the last period, amounted to 8,510,000*l.*; and when it was recollected that this estimate included only the losses entered in Lloyd's books, he undervalued the loss to the public when he took it at 3,000,000*l.* annually. The Committee of 1836 recommended—

"The arrangement of a plan for the institution of courts of inquiry to examine into the circumstances of every shipwreck that occurs, as far as may be practicable, with power to pronounce a verdict of censure on the owners or commanders of all those vessels where the result of the inquiry should establish the fact of such wreck being occasioned by any fault or deficiency on the part of either, as well as to acquit honourably the owners or commanders of those ships against whom no fault could be proved, and to make the evidence and verdict in each case public in every port in the kingdom; with further power to suspend, for a given time, the licenses or certificates of such officers and seamen as should be proved guilty of gross incompetency or gross neglect of duty; and to reward, either by reimbursement of their loss of wages and effects, or by gratuities, or medals of honour and distinction, those officers and men who should have particularly distinguished themselves by their skill, courage, or humanity, in preserving the lives and property of others, whether actually belonging to the ships that were wrecked, or coming to their assistance from other vessels or from the shore."

The Committee of 1843 made a similar recommendation. He would therefore move for—

"A Select Committee to consider whether, in all cases of Shipwreck, and of Collisions of Merchant Vessels, attended with loss of life, an inquiry, as speedily after the accident, and as near as possible to the place, should be appointed, to examine into the attendant circumstances and causes of the Shipwreck, and to report to the House in what manner the inquiry should be conducted."

Mr. H. FITZROY seconded the Motion. He hoped that one of the results of the labours of the proposed Committee would be the adoption of a measure for ensuring an examination of masters and mates before they were intrusted with the command of vessels. It appeared from evidence taken by the Committee on the Navigation Laws last Session, that the captains of our ships employed in long voyages were as capable of discharging their duties as the captains of American vessels, or of the vessels of any other people; while the captains of our vessels employed in short voyages and in our coasting trade were men of very inferior qualifications.

Mr. LABOUCHERE did not rise for the purpose of offering any objection to the Motion. On the contrary, he thought that the greatest benefit would result from the labours of the Committee. He quite agreed with his hon. Friend that the subject was one very well worth the attention of the House. His hon. Friend was probably aware that there already existed a power given to the Board of Trade by Act of Parliament of inquiring into the circumstances of the shipwrecks of steam vessels, and collisions between steam vessels, or between steam vessels and sailing vessels. But at present the Government had no power of instituting an inquiry into the wrecks or collisions of any other than steam vessels. He could undertake to say that great advantage had hitherto resulted from the exercise of the power of inquiring into the circumstances attending the wrecks of steam vessels. The other day the Board of Trade had received a very valuable and elaborate report from the officer appointed to inquire into the case of the loss of the *Tribune* on the coast of

Ireland. He was aware that there would be some difficulty in extending inquiries of that description to sailing vessels; but he felt persuaded that the present state of the law upon the subject was not for the benefit of the shipping interest, while it was inconsistent with the interests of humanity. His hon. Friend had said, with too much truth, that the character of our mercantile marine, instead of having improved of late years, in comparison with that of other nations, had seriously deteriorated. He had lately had occasion to read the reports received from British consuls, in all parts of the world, in reply to questions addressed to them from the Foreign Office upon that subject; and he should say that those reports presented a picture which must be extremely painful to every Englishman. They described a state of things to which it was most important that Government and Parliament should address themselves as speedily as possible, with a view to its alteration. In consequence, he was afraid, of the low character, in too many instances, of the masters and mates appointed to command our merchant vessels, the character of the British marine had of late greatly deteriorated; and merchants preferred committing their cargoes to the ships of foreign nations, rather than to British vessels. He believed it was the intention of his noble Friend the Secretary of State for Foreign Affairs to lay the reports in question without delay on the table of the House; and he certainly hoped those reports would induce the House to lend a willing assent to any ulterior measures that it might be the duty of the Government to propose with a view to remedy that evil. But, above all, he hoped that the attention of those connected with the shipping interest would be called to those documents, and that they would see that it was desirable for their sakes in particular, that stringent and effective measures should be applied to put an end to a state of things, which, while it was discreditable and injurious to the country at large, fell upon them with the greatest weight. His hon. Friend had also adverted to the very important question of the expediency of adopting a system of examination for the masters and mates of merchant vessels, with a view to ensure the possession of the necessary qualifications for the performance of their duties. Now, it would not be true to say that nothing had of late years been done upon that subject. No compulsory system of examination had, indeed, been enforced by Parliament, mainly in consequence, he believed, of the very great opposition of the mercantile interest to any such system. But provision had been made by Parliament for the adoption of a voluntary system of examination for masters and mates of vessels. If he recollected rightly, the House had appointed one examiner, Lloyd's had appointed another, and some third party had appointed another. These three examiners had deputies throughout the country, and constituted a board before which any master or mate of a vessel who pleased might undergo an examination, and obtain a certificate of qualification if he should be found to deserve it. He was happy to say that that system had recommended itself more and more to those connected with our mercantile marine, and that the number of persons who had applied for, and had obtained, those certificates had of late considerably increased. Whether they were then ripe for rendering that system compulsory, he would not at that moment undertake to discusss. But he thought it was a fortunate circumstance that they had at any rate begun that system in a manner altogether in accordance with the feelings of the classes connected with our mercantile marine; and he trusted it would be found that they had commenced a system which would lead to an improvement of persons who occupied situations so important to the character of our navy as the masters and mates of our merchant vessels. He thought that, under any circumstances, and at any time, it would be right for them most seriously to consider those subjects with a view to their taking that course with regard to them which they might think most likely to promote the interests of a most important branch of our national prosperity. But he felt that it was more particularly incumbent on them to do so at a time when they proposed to bring under the consideration of Parliament the question of the navigation laws. He thought that while they entertained that determination, the mercantile marine had a perfect right to expect from them that they should also take into their consideration other questions connected with the interests of that body. He believed that the whole of those subjects ought to receive a connected and deliberate consideration from the House; and he hoped that before the close of the Session they would be able, at all events, to lay the foundation of a different state of

things from that which he regretted to think at present existed with regard to our mercantile navy.

Motion agreed to.

LAW OF LANDLORD AND TENANT (IRELAND.)

Sir WILLIAM SOMERVILLE said: Sir, in rising to move for leave to bring in a Bill to amend the Law of Landlord and Tenant in Ireland, I believe I shall best consult the convenience of the House if I proceed at once to state the nature of this measure, the principles upon which it is founded, and the machinery upon which it is intended to give effect to those principles. It would be easy for me at the commencement of my observations to dilate on the extreme difficulty and delicacy and the complicated nature of the subject which I have undertaken to bring under the attention of the House. But, Sir, it is the very complicated nature of the question which leads me to think that the best plan which I can now follow will be simply to state the nature of the measure to the House, because I feel that until we have the power of comparing its details and sifting its provisions, it will be difficult to form a correct opinion of its merits. The Bill which, with the permission of the House, I shall this night lay on the table, embraces two points. First of all, it will provide compensation for the improvements made by the tenants during their holding, if they are dispossessed previous to the expiration of a certain period; and secondly, it will, I hope, effect several not unimportant changes in the relations between landlord and tenant. The Bill proposes to encourage the outlay of capital by the tenant, by providing compensation for him should he be dispossessed of his holding within a period that would not afford him the full benefit of his outlay; and it endeavours to carry out this object without any disturbance of existing interests, and with as little interference with the rights of property as possible. I will not at this period of my statement urge on the attention of the House the necessity of conceding this principle. I believe, by the majority of this House, and by the majority of the public out of doors, that principle has already been conceded. Indeed it is no new principle, for I have met with publications relating to the state and condition of Ireland—of considerable antiquity, more than a century old—in which the principle is broadly laid down, that inasmuch as in Ireland it is not the custom of the landlord to provide suitable farm-buildings for the tenant, if the tenant should think fit to spend capital in the erection of them, and he should be dispossessed at a period when he had not had the full benefit of that outlay, he would be entitled to compensation upon being dispossessed. That principle has been often discussed out of this House before it came recommended to the consideration of Parliament by a Commission issued by the Crown, the report of which Commission was laid on the table of this House three years ago; and after that a noble Lord, not my immediate predecessor in the office which I have the honour to hold, but who formerly filled that office, laid on the table of this House a Bill embodying a similar principle; and I remember that that principle was received with favour by the House, and the noble Lord was permitted to lay the Bill on the table for their consideration. Before I proceed, then, to notice the changes which I contemplate making in the law affecting the relation of landlord and tenant in Ireland, I will state to the House in what manner it is intended the measure should proceed for securing compensation to the tenant for his outlay of capital. It is intended that from and after the passing of this Act, all tenants possessing an interest, to be hereafter specified, and holding under any lease or agreement, or from year to year, at a rent not exceeding ten pounds, may serve notice in a printed form, according to the terms to be prescribed, in a schedule appended to the Act, specifying the proposed improvements, whether of building, fencing, or subsoiling, and that he having done so, he shall nominate an arbitrator of his own, and call upon the landlord to do the same. If, within a given period, say within twenty-one days, the landlord shall not name an arbitrator to act in his behalf, it shall be competent for the tenant to summon him or his acknowledged agent before the petty sessions; and the court of petty sessions is to nominate an arbitrator, to be conjoined with the arbitrator originally selected by the tenant. The two arbitrators are then to choose an umpire, or should they decline doing so, the petty sessions are to be called upon to appoint one; and the arbitrators and umpire thus appointed are to form the body of arbitration to whom is to be assigned the duty of deciding on the notice which the tenant has served on his landlord. They will make it their business to inspect the farm generally; to consider the

value, character, and suitableness of the contemplated improvements; and to determine the additional rent which ought to be paid by the tenant in the event of the landlord consenting to execute them himself. If they decide that the improvements are suitable and desirable, and should be proceeded with, they are to make an award to that effect; and the instrument is to be deposited in the hands of the clerk of the peace to be by him preserved amongst the records of the country. A copy of it is to be served by the tenant on his immediate landlord, and upon all other landlords who can be affected by it; and it is to be competent for any landlord, either immediate or superior, to institute within twenty-one days after the issuing of the award, an appeal before the assistant barrister at quarter-sessions. The barrister is to be empowered to enter into a consideration of the nature and value of the improvements; and having done so, he will proceed to ratify, disallow, or vary the amount at which they have been valued; and his decision is to be final. In conformity with a recommendation which originated with Lord Devon's Commission, power is granted to the landlord to give notice to the tenant of his intention to come in and execute the contemplated improvements himself, and to charge on account of them the increased rent specified in the original award. The party, whether landlord or tenant, then goes on to execute the works, and having done so, he is to appeal to the arbitrators; and the arbitrators having accurately examined the same, are to give to the landlord or tenant, as the case may be, a certificate stating that the works have been completed in conformity with the award, whether of the original arbitrators, or of the assistant barrister. The certificate, which will likewise specify whether any deduction, and if so what, is to be made from the rent originally fixed, is to be deposited with the clerk of the peace, who will take care to have it filled with the records of the country. Up to this point the tenant has, in every instance, been the moving and initiating party. On the termination of the tenantry, however, the landlord becomes the moving party. It is proposed, that if within twenty-one years the landlord have become entitled to possession, either by the dropping of the lease, or by service of notice to quit, or by ejectment of the tenant for non-payment of rent, or by any other contingency, he is to serve notice on the tenant, intimating that he has himself appointed an arbitrator, and calling upon the tenant to nominate another. These arbitrators are to be appointed on the same footing, and are to be subject to the same rules and regulations, as those who were nominated in the first instance, to decide on the nature and character of the improvements proposed to be undertaken. They will have to inspect the works, and to make an award, defining the amount of compensation due to the tenant; but, in accordance with a recommendation of the Devon Commission, it is to be provided that the compensation is not to exceed three years' rent of the holding. The Bill will contain a provision whereby the landlord may be enabled to avoid payment of compensation; and the mode proposed in order to the attaining of this end is, that he should permit the tenant to remain in possession for twenty-one years after the completion of the works, at the same rate of rent that was paid before. There will, moreover, be a provision, enabling the immediate landlord to recover compensation from the superior. You will perceive that all these provisions are prospective. We found that it would be attended with very great inconvenience to apply a retrospective principle to holdings under the value of 20*l.*; but the case is different as it regards holdings under 10*l.* It is therefore proposed that, in so far as holdings under the value of 10*l.* are concerned, the provisions of this Bill shall be retrospective. We purpose, therefore, to enact that every tenant holding at a rent not exceeding 10*l.* shall, if he have been dispossessed by his landlord, be entitled to the value of his improvements during the five years antecedent. Compensation for those improvements (which, be it observed, are not to be valued beyond the amount of ten years' rent of his holding), is to be recovered by civil-bill process before the assistant barristers, who are to have full power to decide the question. I have disposed of that portion of the Bill which relates to compensation to be awarded to tenants for improvements which they have themselves effected. I have stated how difficult and how complicated the arrangements are, but I hope I have made them intelligible to the House. I now proceed to consider that portion of the measure which refers to the not unimportant changes which the Bill contemplates as to the relation between landlord and tenant. In the first place, the Bill contains a clause which regulates the power of distress. In order to

exempt the occupying tenant from undergoing the terrible hardship of a double distress—one from the immediate landlord, and another from the superior—it will for the future be enacted that tenants holding under a certain yearly rent, to be specified in the Bill, are to be altogether deprived of the power of distress, if they underlet their land. Another great advantage to the occupying tenantry will be, that this Bill will give them power to set up an equitable defence in the superior courts of law. By the law as it at present stands, the tenant has a right to set up such a defence before the assistant barrister; but if the case be moved by the superior landlord into a higher court, the tenant, unless he can afford to undertake a suit in equity at an enormous expense, is deprived of the benefit which he might have enjoyed under the jurisdiction of the barrister. It is proposed also to increase very considerably the powers of the assistant barrister. The House will more clearly understand the exact proportion in which it is intended to make this increase of powers when the Bill shall have been placed upon the table. It is also provided that tenants holding at will may be ejected for non-payment of rent. It is my firm conviction that the clause containing that enactment will be beneficial in its operation both to the landland and the tenant. It will throw no additional power into the hands of the landlord who may be disposed to use his authority capriciously. The privilege is only given for the non-payment of rent, and therefore it will afford no additional facility to the heartless landlord, who would wish to use his power harshly or capriciously for the removal of an industrious and frugal tenant. The landlord must proceed according to the ordinary course of law; but for the non-payment of rent he would have greater facilities afforded him by this Act. It must be remembered also, that we retain in the present Bill all the present law that is favourable to the rights of the tenant. My belief is, that we should not have to hear so continually of the cruel hardship of those notices to quit so frequently used in Ireland, and held *in terrorem* over the tenant's head, if the landlords had had the power of ejecting tenants for non-payment of rent last year. I am therefore most decidedly inclined to the opinion that much good will result from the clause authorising ejectment for non-payment of rent; but it is to be observed that we propose to couple with this power a very important provision, to have the effect of securing short accounts between landlord and tenant, which is this—that on parole demise no rent shall be recoverable which shall not have become due within two years. [Mr. O'Connor inquired the meaning of the phrase "parole demise?"] It means a demise without a lease. With respect to receipts for rents, it is proposed to require that each receipt shall distinctly specify the particular gale which it is designed to cover; and in the absence of such specification, the document is to be considered as referring to the gale last due. I regard this as a most important point, because it will insure the protection of both landlord and tenant from loss. There are other provisions of a less important character on which I will not at present linger. I believe that I now have explained the leading features of the Bill, which I hope to have the honour of laying this evening on the table of the House. I am aware that I may be met with a double objection. Some hon. Members may, and doubtless many will, contend that it is useless to attempt to interfere in contracts between man and man, and that such matters should be left to be regulated by the parties immediately concerned. To hon. Gentlemen who argue in such a strain I can only reply, by telling them to look to the state of Ireland. Look to her undeveloped resources—look to the backward state of her agriculture—look to the unhappy condition of her present population; and I think you will at least admit that the experiment we are now about engaging in is worth being made. I will further venture to assert, that if there is ever to be legislation on this subject, the time for it has now fully arrived. It is time that this House should at once distinctly state not only what it will do in this respect, but what it will not do. The longer this question is left open, the longer it is left undecided, the greater will be the excitement out of doors, and the more extravagant will be the notions and ideas entertained regarding it—notions which it is not in the will or power of this House to comply with. For myself, I can only express my conviction, that provided you are just to the landlords—provided you do not violently disturb the rights of property (and I know of no country where a violent disturbance of the rights of property would be attended with more disastrous consequences than in Ireland)—the more generous you are to the tenantry of

Ireland, the more you will do to promote peace, good order, tranquillity, and prosperity in that country. I feel convinced that if you do not endeavour to bring forward some practical measure, having for its object a more equitable adjustment of the relation between landlord and tenant, all your attempts to promote the welfare of Ireland will fail. This is not a party question. I am quite sure there is not an hon. Gentleman in this House who, in discussing a question like this, will not cheerfully lay aside any political prejudice that may exist in his mind, and gladly lend his aid towards the construction of a measure which will substitute tranquillity and good order for the distrust and distraction which now unfortunately exist in Ireland. When this Bill shall have been laid upon the table of the House, I shall be most happy to consider any suggestions for its improvement which hon. Gentlemen on any side of the House may think proper to bring forward. There can be no doubt that there is much force in the objection which relates to the difficulty and delicacy of interfering with the relation of landlord and tenant, and interposing in agreements which ought to be voluntary between the parties immediately concerned; but I do think that the circumstances of Ireland justify us in refusing to attach a paramount importance to such an objection. Besides, I think it right to observe that there will be found in this Bill a clause facilitating voluntary agreements, and enabling them to be registered, so that they may be safely preserved and easily referred to. The question of agricultural improvement is and must always be one of primary magnitude in Ireland. Just at the present moment it is a question of vital importance. The failure of the potato crop has rendered it absolutely necessary that the productive powers of the soil should be taxed to the uttermost if the people are to be fed upon the produce of the country; and the period is particularly propitious for any attempt having for its object the bringing about of a result so desirable. I believe that the public mind in Ireland is now of one accord as to the necessity of improving the agriculture of the country; and being upon this topic, I hope it will not be considered that any observations are out of place if I venture to allude to the great and striking success which has attended the measure of the Irish Lord Lieutenant, by which agricultural lecturers were sent to instruct the people in the most distressed and famishing districts. The success of that movement has been signal beyond my noble Friend's most sanguine expectations. All parties have welcomed his lectures with the greatest joy; and by none, I am happy to say, and I say it most gratefully, have their efforts been more usefully seconded than by the Roman Catholic clergymen of Ireland in those districts which they have visited. In conclusion I would merely observe, that not only is the agricultural improvement of Ireland a most important matter, but that the time is now most opportune for submitting it to the consideration of the House, because the public mind just at this moment is peculiarly alive to the necessity of increasing the productive power of the soil. I trust I have succeeded in making the leading principles of the Bill clear to the House. I ask now permission to place it on the table, in the hope that by encouraging the industrious tenantry of Ireland to expend their capital in the improvement of the soil, it may augment the natural resources of that country, and by increasing the prosperity and happiness of its people, tend, indirectly indeed, but surely and most effectively, to the general well-being of the United Empire.

Mr. S. CRAWFORD was most anxious to promote the success of any measure which would conciliate the different interests involved; but he feared that the Bill of the right hon. Baronet would spread great dismay amongst the tenantry of Ulster. Their tenant-right would be totally overthrown. The nature of that custom had been frequently described by writers, as well as in a petition which was presented to the House last year from the county of Londonderry. For two hundred years they had enjoyed the tenant-right, and had made great improvements in their holdings, in the confident expectation that it would not be disturbed; but the system of things proposed to be established under the new Bill was very different indeed from what the men of Ulster understood by tenant-right. What the people of Ulster claimed was, that if a landlord served a tenant with notice of ejectment, the tenant should be able to go before a legal tribunal, and, proving the value of the property created by his labour, claim to be compensated according to whatever might be the increase of value proved to have resulted from his labour. They further claimed compensation in damages when improperly dispossessed. Great improvements had been made in Ulster on the faith of that

custom. Attempts had been made of late years by the landlords of Ulster to limit the amount of compensation to which the tenant was entitled. Those attempts had excited great apprehensions among the tenantry of Ulster. When he looked to the principle of the Bill proposed by the right hon. Gentleman, he found that it would in no way protect the tenantry of Ulster who had made those improvements. The Bill was but a transcript of that brought in by the noble Lord who was formerly Secretary for Ireland (the Earl of Lincoln). The principle was the same—namely, to prevent the tenant from recovering the value of his improvements unless he first began by serving notice and getting the landlord's consent. It was said by the right hon. Gentleman, that the measure was only to have a retrospective operation with regard to tenants paying a rent under 10*l.*; and that would be of no value to the tenantry of Ulster, who were generally of a higher class. To show the evils that arose from a want of security on the part of the tenant, he would take the case of a man who, at the age of twenty-five in the year 1816, had got possession of a farm on a lease for thirty-one years, and who could command a capital of 800*l.* He spent the whole of that sum in thorough draining, quarrying out rocks, and other improvements; and as profits came in, he expended a like sum of 800*l.* on a dwelling-house, and erecting fences, &c. Thus, he laid out altogether on the premises a sum of 1,600*l.*; but he did not want to rob the landlord of his fair rent, and therefore, when the lease dropped in in 1847, he offered to pay the full rent for the land according to the poor-law valuation, which was 25*s.* an acre. The landlord, however, refused to accept it, and served notice of ejectment. What was the result? The tenant was put out of the farm, which was given over to the landlord's own son. Here, then, was the tenant's situation: he came on the farm in the prime of life, with 800*l.* in his possession; he expended that sum twice over in improving the land and building, and hoped he should in his old age enjoy the produce of his expenditure; but he was turned out penniless on the world, though he had offered an increased rent of 120*l.* If the property would have sold for 1,500*l.* on his entering, it would have sold for 3,600*l.* when the lease expired, the landlord obtaining all the advantage of the increased value; and the beneficial interest, which properly belonged to the tenant, would have brought not less than ten years' purchase, or 1,200*l.* He asked, was not that downright robbery, and would the Bill of the right hon. Gentleman protect such a man as that? If he understood the Bill of the right hon. Gentleman rightly, all claims for improvement would terminate within the limit of twenty-one years. No matter what a man had done—no matter how valuable his improvements might be—no matter that he had gone through all the complicated processes which this Bill required—still, no matter; every claim on the part of the tenant should terminate in twenty-one years. If the landlord allowed him to remain in occupation for twenty-one years, then the landlord might step in and dispossess him. Did he not say justly, then, that such a Bill as this would excite apprehensions in the province of Ulster? It might be said that this Bill did not abrogate the custom of tenant-right, or say it should not continue; but though it might not in law, it would really in fact abrogate it, for it would afford a pretence to landlords to abrogate the custom. They would say that a law had been passed for the relief of the tenants in Ireland, and the landlord would take advantage of that law to deprive the tenant of those rights, who had hitherto enjoyed them. He would now give them the case of a small holder. A tenant took a piece of waste land, containing six statute acres, at a rent of 5*s.* an acre, for thirty-one years. He reclaimed the land; he made it productive, and built a house, and made other improvements, at a cost of not less than 100*l.* The lease dropped in 1846; he offered a rent according to the poor-law valuation of 20*s.* an acre; but the landlord refused to take it, being determined to consolidate the farms on his estate, and he put out the poor tenant, giving him 5*l.* to go to America. The man did not go there, and he and his wife were inmates of the poorhouse. This poor man was willing to pay four times the original rent; he had built a valuable house on the land; but he was put out of possession, although his beneficial interest should at least have brought him 15*l.* an acre, including the house, if it were put up to sale according to the principle of the tenant-right. The right hon. Gentleman's Bill, though he was sure it was introduced with the best intention, would not reach such cases as these. He contended that every man should be secured in the possession of the value of his labour and capital.

Every man who laid out his labour and capital in improving the land which his landlord supplied him with, was entitled to his full share and full and fair proportion of the value he had created by that joint expenditure. That was the view on which he claimed the tenant-right, not for Ireland alone, but he claimed it as an universal principle of justice for England, Ireland, and Scotland, and no length of time ought to cut short that right. But the Irish tenant had stronger claims upon their kindness and justice than any other, because everything that was done on the land was done by his own means. He (Mr. Crawford) need not enter upon the ground on which interference on the part of the State was justified. It could be amply and fully proved that the State had a right to interfere when the public interest required the regulation of any kind of property—land as well as of any other property. He need not enter on that point; for he considered that point had been already admitted, several Bills having been introduced into that House both for England and Ireland, which clearly proved that the right of such interference on the part of the House was admitted. The Irish tenant, above all others, was not a free agent; for in Ireland the possession of land was necessary for the sustainment of life; and when he came before the landlord and asked for the land, on the ground that it was necessary for his subsistence—under such circumstances he was not a free agent. What was the situation of Ireland? Provisions were not scarce nor dear in Ireland. Then why were the people starving? Because, no matter how cheap the provisions were, they had not the means of buying them. What did that arise from? From the want of employment. What occasioned that? This fact, that there was no security for a due return of investment on the land. The farmer who had money would rather hide it in the thatch than lay it out on the land, because he had no security that it would bring a proper return to him. Therefore he did not employ the people. The working classes who held land were equally unwilling to expend their time in increasing the production of the land, and that also arose from the want of security, as was proved by the evidence before Lord Devon's Commission. He admired the proposition of his Excellency the Lord Lieutenant, with regard to sending out instructors to instruct the people in agriculture; but at the same time he must declare his conviction that every lesson they could supply, all the education they could give in that way, would be perfectly useless, unless they were accompanied by measures which would produce confidence on the part of the people that what they expended would be productive to them. It was also to be observed that in Ireland there was a great number of landlords who were tenants for life, and could not give that security, even if they wished it; and therefore it was necessary that the law should step in. Hitherto it must be admitted that there had been one law for the rich and another for the poor; all the laws had been passed to protect the landlord's and not the poor man's right. The landlord's rights were called the sacred rights of property, but they had neglected to protect the rights of labour. And unless they protected the labourer, they could not expect to have a people obedient to the law; but if the people found they had protection, then they would be ready to assist in their maintenance of those laws which some of them were at present disposed to violate. There were particular claims also in particular parts of Ulster; he referred to the Ulster plantations. In the reign of James I., about the year 1608, there were six counties of Ireland forfeited to the Crown. The Crown made grants of the property in them to "undertakers," under the conditions that they should let the lands at reasonable rents and for certain tenures. Letters of complaint were on record for the non-fulfilment of those terms in the year 1612; and in the year 1615 and in the year 1634 the patents were cancelled, but afterwards restored. On those particular lands the custom of tenant-right was understood to be established as a consideration for the non-fulfilment of those conditions; that was its origin in those particular counties called the plantation counties, and they had peculiar claims for its maintenance. But he would not raise the question on those particular claims. He would raise it on the ground that it was a just and right principle that the expenditure of capital and labour should be duly recognised. He had thought it necessary to state to the House what the claims were of the Ulster tenants, He was desirous to see that custome stablished by law, and extended to all improving tenants. He wished it to be understood clearly that he maintained no claim from the right of occupancy alone, for he would not accede to any demand for tenant-right made by a

tenant, simply because he was in the occupation of the land; he considered that the tenant-right could only be founded on the rights of labour and on increased value conferred by labour. No man could set up a claim, in his judgment, with any justice, to tenant-right, unless he could prove that by industrious cultivation of the soil and other modes of improvement he had increased the value of the premises. Those were the only grounds on which he could possibly admit the claim of the tenant. He was aware that the tenant-right was abused in the province of Ulster, and that a claim was often made when it was not justly founded. He was aware it was sometimes made when there ought rather to be a claim for compensation on the part of the landlord. But this arose from the fact that there was no security given for the rights of labour; but the moment that security should be given for the rights of labour, then such claims would no longer be made. There would be no longer any apology for them, for the moment a tenant had security that the labour would be for his own benefit, then they would no longer ask for the tenant-right unless they were entitled to it. It was said that in many parts of Ireland no claim of tenant-right could be made; but he was satisfied that if they once passed a law by which the principle of tenant-right would be established, there would be an impulse given to improvement, and in a short time the tenantry of Ireland, small and large, would put themselves in a position to claim the tenant-right. He considered that an Act ought to be passed providing means for preventing ejected tenants being left to starve in ditches, and that the poor-law should be made effective for their relief. It was not effective now. Tenants that were turned out were dying at the backs of ditches: such occurrences ought not to be permitted. When the tenant-right was not sufficient to give protection, means should be taken to prevent these melancholy results.

Mr. H. A. HERBERT wished to make a few remarks on what had just fallen from the hon. Gentleman the Member for Rochdale. He was anxious to express, as soon as possible, his opinion on the subject, representing as he did a very large county (Kerry) in the south of Ireland, where there had been some agitation on the subject. The hon. Member for Rochdale had proclaimed that this was a question which was very little understood; and he concurred with the hon. Member; and he would give a reason why it was so little understood, and that was because the advocates of tenant-right did not understand it themselves. It could not be wondered at that persons who formerly were not acquainted with this subject should not now understand it, when they found that at the various meetings that had taken place, and from the letters written on the question, hardly any two gentlemen gave the same definition to tenant-right. The hon. Member for Rochdale had defined tenant-right. The hon. Member argued that occupancy or possession alone did not constitute any claim to tenant-right. That, however, was not the opinion of all the advocates of tenant-right. He held in his hand the copy of a resolution proposed and adopted at a very large meeting in the county of Tipperary, to which he begged to call attention. It was proposed, he thought by the hon. Gentleman the Member for Tipperary, whom he did not see in his place, and it was adopted by the hon. Gentleman the Member for the city of Limerick (Mr. J. O'Connell), whose position should give him very great weight in his own country; and in that resolution there was a distinct disclaimer of the proposition of the hon. Gentleman who had just spoken. A definition of tenant-right, too, had been given at a large meeting of the Irish Council. It was proposed by a member of that council, in a speech of considerable talent; and he not only defined what tenant-right was, but told them what the effect of it would be. The effect, it was said, would be the transfer of property from the owner to the occupier. He could not imagine any proposition more simple than that, for he admitted that this principle of transfer of one man's property to another would simplify legislation exceedingly. He perceived the right hon. Gentleman the Chancellor of the Exchequer in his place; and he believed the right hon. Gentleman would find it a very simple means of making up his budget, if the House allowed him to transfer any portion of the property of Her Majesty's subjects he pleased to public purposes; but he believed the House would never sanction the transfer of one man's property to another. He entirely objected to the principle laid down by the hon. Member (Mr. S. Crawford) that the sale of tenant-right was any criterion whatever as to its value. There was not a Member of that House who did not know that in consequence of the intense competition for land in Ireland,

any sum, however exorbitant, might be obtained for what was called the tenant-right; or any sum, however exorbitant, might be promised for rent. What would be said to a landlord in Ireland if he avowed that he would let his land at the highest rent he could receive for it? It would be said at once to be unjust, and moreover it would be said to be foolish, as they knew, from the competition for land, that any sum that was pleased to be asked would be promised—he would not say paid. Generally speaking, the purchase-money of tenant-right was paid; but how was it paid? In a great number of cases by the entering tenant borrowing the money, and thereby impoverishing himself. With the permission of the House, he would read two extracts from the digest of Lord Devon's Commission. They had reference to that very estate which was so often quoted as a model; but even on that model estate they might see the evils of what was called tenant-right, which it was now proposed by the hon. Gentleman should be introduced into other parts of the country. He would read the evidence of John Andrews, farmer and agent, he believed, to Lord Londonderry. He was asked his opinion of tenant-right, and he said he believed the land was sold at a high price by the outgoing tenant, who took away the capital that ought to be left with the incoming tenant. He added, that in order to get the land a man gave all he had to get it, and left himself without capital. He found further on, that a tenant-right would be more valuable than any compensation for improvements would be; and that they would not have many sales of farms except by ill-doing tenants, who exhausted the land, and then got a good deal of money for it. That witness said—

"He saw parties get a good deal of money for the sale who should be liable to an action for depredation."

As the representative of a large Irish county, he should protest against the introduction of anything of that kind into Munster, not only as destructive to the interests of the landlords, but also as most prejudicial to the interest of the tenants. He could not understand the principle on which the taking away the capital of a man before entering into a farm—however good that might be to the outgoing tenant—could produce anything but unmitigated injury to the man who was coming in; and how he could effect improvements was more than he could understand. He wished to mention to the House a fact which appeared to him to afford a striking instance and exemplification of the effects of tenant-right. There was a district in his county, comprising he could not say how many acres, for he had not a return which he had expected would have been laid before the House some time ago, but at all events it was a considerable district—he referred to the common of Ardfert, in the county of Kerry. That common had been taken possession of several years ago, and was now in the possession of a number of occupiers, who were also owners of the land. From time to time subdivisions had taken place on this land; and having heard a great deal of the condition of the inhabitants of this district, he had made it a point during the late recess to pay them a visit, in order to see an instance of what the unmitigated use of tenant-right would produce in the south of Ireland. He went over that land, and whether he considered the state of cultivation or the wretched condition of the tenantry, he could not conceive anything more awful. During the course of his tour through the country he saw misery which, if he had not seen it patiently submitted to, he should have thought was beyond human endurance. But he saw no misery greater than, if any that was equal to, the misery he had seen on the common of Ardfert. He should not detain the House by any attempt to describe what he saw there, but he should repeat the words of the man he had hired to show him the boundary of the district. He said to him, "not a man on the common of Ardfert can eat his supper this night except those who are getting outdoor relief?" He (Mr. Herbert) would recommend those who dreamed of peasant proprietors for Ireland, to look to the common of Ardfert for an exemplification of what they would be. The hon. Gentleman the Member for Rochdale, in one of his letters to the people of the north of Ireland, had stated that the interests of the tenants were jeopardised by those who made extravagant demands on their behalf, in connexion with seditious and dangerous projects. He (Mr. Herbert) believed that that would be the case; and he intreated of him to consider whether these interests might not be equally jeopardised by holding out hopes that never could be realised, and thereby weakening the advocacy of those who were endeavouring to obtain for the tenant-farmers their just rights, and to induce the Government to accede to

those just demands which their best friends thought they had a right to make. He believed that those only who made these demands were the real friends of the tenant-farmers of Ireland.

Mr. WILLIAM FAGAN said, that on so complicated a question as the relations of landlord and tenant, it was not surprising that a great variety of opinions were entertained. The great question in Ireland was how the land was to be cultivated; how its resources could be more fully developed; how the land which was said to be capable of sustaining 17,000,000 inhabitants, but which at present did not sustain a population of only some 7,000,000 or 8,000,000, could be brought to that degree of fertility. He maintained that this could only be effected by encouraging improvement in the cultivation of the land; and therefore he felt himself compelled to agree in the opinion that had been expressed by the hon. Gentleman the Member for Rochdale, that mere occupation alone was not sufficient to constitute the title of tenant-right. He concurred in the opinion expressed by the hon. Gentleman, that the people of Ireland, not merely the people of Ulster, had been looking forward with much anxiety for this measure, and expected an effective Bill from Her Majesty's Government, in consequence of the professions that were put forward at the commencement of the Session. He agreed with the hon. Gentleman also in saying that this measure would be received in Ireland with disappointment and dismay. He was one of those who, upon the accession to power of Her Majesty's present advisers, resolved to give them a fair trial. In consequence of the crisis of last year, and the difficulties of their position, he had not thought it fair to expect that their measures would be immediately developed; but he confessed he had looked forward with anxiety, though at the same time with confidence, to find at the commencement of this new Parliament some measures of a decisive character brought forward to tranquillise the people of Ireland. He regretted to say that the measure now before the House would not have that effect. He remembered that the Bill which was introduced by the noble Lord the Member for Falkirk (the Earl of Lincoln), sneered at though it was, contained many provisions far superior to the measure now proposed by Her Majesty's Government. At another time, and under other circumstances, there were one or two provisions which had been stated to the House that night, which might tend in a great measure to relieve Ireland, and improve its agriculture. In such a country as England a measure like the present —recognising the right of compensation to the tenant—might be useful, because in England not one third of the population were engaged in agricultural pursuits, and those who were not had fifty other modes of obtaining an honourable livelihood. But in Ireland nearly the entire population was altogether dependent upon agriculture. He would not refer to the famine, nor would he speak of the effect of free trade, but he would take the permanent condition of the population, and he had no hesitation in saying that the condition of the people of Ireland was such, that the measure before the House would not remedy it. What was the proper remedy? They had been told that the remedy for the present state of things in Ireland was to develop the resources of that country—to bring forth those resources in a more profitable manner — to enable the tenant to give a higher rent for his land. But was the measure of the right hon. Gentleman of a nature to induce the tenant to direct his energies towards the better cultivation of the land? Was it of a nature to enable him to pay double rent? The only provision of the Act which he thought beneficial was that which did not allow rent of more than two years outstanding to be recovered in case of no lease. That, he thought, was an excellent provision. With respect to the question of tenant-right, he agreed in some respects with the hon. Gentleman the Member for Kerry. He knew that enormous sums of money were given for tenant-right in the province of Ulster; and if the system acted upon in Ulster was introduced into the south of Ireland, it would be found to work most injuriously for all parties. He believed that the extreme competition for land would render any such system impracticable—it would result in a total and entire failure. But the Bill introduced by the right hon. Gentleman went to the opposite extreme—instead of giving him an enormous sum for tenant-right, it limited his claim for improvements to a very inadequate amount. The present was not only a landlord and tenant question, but it was a life and

death question, in many parts of Ireland. The people of Ireland had been looking forward to the measure with deep interest, not unmixed with hope, and he felt satisfied that it would create great dismay and great dissatisfaction. He did not think that the efforts of the itinerant agricultural lecturers had been so successful as it was anticipated they would have been. That the idea was well intended, and that the gentlemen appointed to lecture were in every respect competent, he was quite ready to admit; but to tell him, who knew something about the agricultural population of Ireland, that the lecturers would work any improvement in the state of that population was quite preposterous. Until the tenant was given an interest in the improvement of the soil—by a long tenure of his land—he would not, and human nature said he should not, attend to the instructions of the itinerant lecturers. It was delightful for gentlemen living in England, living on their own land, to hear lectures on agriculture, and to profit by those lectures; but with the poor Irish agriculturist it was quite a different thing. The only way of meeting the difficulty was by a fair and equitable valuation of the improvements effected by the outgoing tenant. In addition to this system of valuation they must give to the occupiers of land in Ireland the benefit of a certain and long tenure. But he had looked in vain in the Bill to find any provision of the kind. Until the system of long tenure was established, he would say nothing of the transfer of one man's land to another, for to that he was decidedly opposed; but until certainty of tenure was introduced, agriculture could not progress in Ireland. If agriculture were carried to the same extent in Ireland as it was at the present day in England, the rental of Ireland would amount to 25,000,000*l* annually, instead of being scarcely sufficient to pay the interest on the mortgages. Speaking of mortgages, reminded him that they had heard nothing respecting the sale of encumbered estates in Ireland. A measure of that kind was promised, and it ought to have preceded the one then before the House. He regretted exceedingly that the Government had taken no active measures to encourage the system of small farms—from twelve to twenty acres of land. If a system of that kind were carried out, there would be ample and profitable employment of the population; Ireland would be prosperous, without the necessity of resorting to colonisation, or the enforced necessity of cultivating the waste lands. He would endeavour to give his best attention to the Bill when it was printed; he might have mistaken some of its provisions; and, if on a more full consideration of them, he should find them more favourable than at first sight they appeared to him, he should rejoice exceedingly to give his support to the proposition of the right hon. Baronet.

Viscount CASTLEREAGH observed, that when in the last Session, this subject was before the House, he expressed his sorrow that great difficulty should be thrown in the way of its final and satisfactory settlement. The right hon. Baronet the Secretary for Ireland had brought forward the Bill in a very praiseworthy and conciliatory spirit; no man could have more zealously and correctly explained the object of the Bill; and the provisions gave the best proof of careful cogitation; but he was very sorry that he could not agree with them. He would be the last man to say anything against the measure if he thought it an adequate one; but he was bound to state his conviction that, with respect to the north of Ireland — the province of Ulster—the measure, so far as he understood it, would not come up to the expectations of the people. The hon. Member for Rochdale had exhibited a great deal of kind and cordial feeling towards the people of Ireland; but he (Lord Castlereagh) was very much afraid that this kind and good feeling had been quite thrown away. The proposition of the hon. Gentleman was much too kindhearted to be practical. The hon. Gentleman had taken up the question and introduced his remedy, year after year, and every year he had found it more important and more difficult. He could not join in the views of the hon. Gentleman. The Government measure, in his opinion, was of too complicated a character—it was more complicated than the measure formerly introduced by the noble Lord the Member for Falkirk (Lord Lincoln). It was more complicated than many other measures which had been submitted to the House. The Government measure had also the fault of being entirely prospective. There was not one word in the Bill as to improvements already effected. He would merely allude to the speech of the hon. Gentleman the Member for Kerry to show the difficulty of legislating for Ireland. If the House gave the tenant-right in Kerry, the hon. Gentle-

man said that it would produce the most deplorable effects, and make the peasants more miserable than they were at present, and instanced the wretchedness of the people on the common lands of Ardfert as a warning. And the hon. Gentleman quoted the evidence of the agent of a relative of his (Lord Castlereagh), to show that tenant-right was not such a beneficial custom in that particular part of Ireland. He happened to recollect the exact answer given to the question by Mr. Andrews. Mr. Andrews was asked—

"Do you think the obtainment of tenant-right would be dangerous to the peace of the country?" The answer was—"I am sure it could not safely be granted; you would have a Tipperary in Down."

That was Mr. Andrews' answer with respect to tenant-right. He did not mean to say with regard to this measure, that that person or that Government who would settle this immense practical question would not be the greatest benefactor to Ireland; but he was greatly afraid that if they legislated with the best intentions in the world, either by doing too much or doing too little, or on the other hand of taking the course laid down by his hon. Friend the Member for Rochdale, which he thought held out rather too much to the people, and encouraged too great an expectation on their part—they would get rid of that which he for one would be the last person in the world to see got rid of, namely, the good feeling and mutual interest which existed between landlord and tenant in Ulster, and which he was afraid any legislative enactment, if they were not careful, and did not watch every part of it without anything like party spirit or party feeling, would destroy. He was glad to see that, in one part of the speech made at Londonderry by his hon. Friend the Member for Rochdale, he said, that although the farmers in the north might have something to complain of, yet it was far more necessary that they should agitate this question for other parties in other places. He was glad to see that that was his hon. Friend's opinion of his part of the country; and he only hoped that they might not sacrifice the good they at present possessed there for any benefit of which the result was not quite sure; and this he must be permitted to say, and say at once, that, placed as he was in connexion with property in Ireland, he could not give his consent to any measure that should go to constitute mere occupancy property; because he conceived that such a measure, if brought forward, would not be confined to Ireland alone, but would spread to other quarters — there would not be one species of law there and another here; and as he wished to see the best measures for Ireland, he should certainly vote against any such proposition.

Mr. FEARGUS O'CONNOR thought some parts of the measure would give great satisfaction; but he regretted to find that the Government was not prepared to go to the root of the evil. In his opinion the hon. Member for Rochdale had been rather unfairly treated by the hon. Member for Kerry. His hon. Friend (Mr. S. Crawford) had been charged with the faults of others. The hon. Member for Kerry, in objecting to the transfer of land from the owner to the occupier, had illustrated his argument by asking what would be the feelings of the country if the Chancellor of the Exchequer proposed to transfer the property of a private individual to the coffers of the Exchequer? Why, the Chancellor of the Exchequer was constantly doing that very thing. It was one of the right hon. Baronet's greatest privileges, and one which he used most extensively. The hon. Member for Kerry had drawn a deplorable picture of the state of the Ardfert commoners—he had described them as browsing like goats; but the hon. Gentleman did not tell the House what quantity of land was occupied by each of those commoners—whether it was sufficient to support them. The hon. Gentleman had given the strongest proof of the value of land in Ireland, by quoting the prices at which the tenant-right had been sold. What he complained of was, that the Bill did not go to the root of the evil. The Irish landlords naturally opposed the measure. But they must bear in mind the fact that free trade had been commenced, and free trade must be carried out. He had always told the people that when one channel was closed against the industrious artisan, another channel must be opened—and the only channel open to them was the land. The subject excited great attention in Ireland, but not more so than it did in England. In Ireland the agitation was for small farms—for tenant-right. In England the same cry would very shortly be raised. He congratulated the right hon. Gentleman on parts of the measure. The registration of votes, the taking away the power of distress in certain cases, the regulation of the law of ejectment, the giving an equitable as well as a legal jurisdiction

to the court of quarter-sessions, were all good provisions. These provisions had all been proposed by him (Mr. O'Connor) fourteen years ago. He must, however, say that the machinery of the Bill was too complicated. He agreed with the hon. Gentleman (Mr. Fagan) that it would be to the permanent benefit of Ireland, if as good a system of agriculture could be established as that which prevailed in England. The landlords of Ireland should go through the agricultural counties of England and see the farm-buildings. He would rather hold 60 acres of land at 100*l.* a year with farm-buildings, than he would 100 acres of land at 100*l.* a year without those buildings. The erection of commodious buildings, suited to a farm of 60 acres, would not cost more than 300*l.* in Ireland. Six per cent on the outlay would be 18*l.* That additional rent would be nothing in comparison to the loss sustained by the absence of the buildings. The farmer lost 40*l.* a year in the condition of his cattle from their being exposed to the cold, independently of the loss of the manure. One question had been lost sight of in this discussion. It was the duty of the Government to superinduce the employment of task-labour instead of slave-labour in Ireland. The Bill contained clauses respecting the appointment of arbitrators, and the assessment of compensation; but the House should bear in mind the saying, that "a landlord of straw can break a tenant of steel." He hoped that a measure for the sale of encumbered estates would speedily be brought forward. Under existing circumstances it was impossible for many of the landlords of Ireland to perform their proper and legitimate duties. In many cases interest on loans at the rate of 10 and 15 per cent was paid by the life-owners. When hon. Members talked of the want of agricultural enterprise in Ireland, they overlooked the fact that this want of apathy did not arise from anything peculiar in the land, but from the uncertainty of its tenure. In Ireland, every man knew that his labour on the land was slave-labour—that he would not reap the benefit of his own improvement—and he worked but little. But give him fixty of tenure, and he would work from the dawn of morning till the noon of night. Let not the House suppose that the Bill would dispose of the land question. The hopes of the people of the United Kingdom were fixed on the land. To that gladdening hope might be mainly attributed the remarkable and praiseworthy patience and quietude of the working population, under most distressing circumstances. There was not an acre of land, either in England or Ireland, but would let for double its present rental, if the right of the tenant was equitably secured. The right hon. Baronet must propose some more extensive and more comprehensive measure. The present Bill would be a fruitful one for lawyers—it would lead to a great deal of contention and litigation between landlord and tenant. It mattered not whether the people of Ulster were satisfied with their privileges, or that the people of Kerry wanted more; a stringent law would have to be applied to the whole kingdom. If all the property in Ireland were managed like the estates belonging to the family of the noble Lord (Lord Castlereagh), there would be no necessity for such a Bill. Or if it were managed like the property of many Lords in England, there would be as little cause of complaint. But unfortunately in Ireland a good landlord was the exception, while in England it was the rule. And when good landlords proposed measures for the settlement of this question, and the suggestions of these men so thoroughly acquainted with the state of the country were rejected, would not the people say that the legislation of the House was fallacious—that it was based on speculation rather than experiment? He disagreed with the hon. Gentleman the Member for Cork as to the usefulness of the agricultural lecturers. He considered that the labours of these gentlemen would prove of great advantage to Ireland—they might be a little difficult to be comprehended at first by the farmers, but they would come to understand them; and he, for one, should like to see a Minister of Agriculture sitting in that House to look to the landed interest, as well as a Minister for Nutmegs and Allspice. He hoped that the landed interest would ere long see the necessity of such a Member of the Government. After all their discussions and considerations, they had afforded no relief to Ireland. Would the House show him any measure that had been adopted during the last forty-eight years for the encouragement of agriculture in Ireland? It might be answered that, without the aid of legislation, the people cultivated the land. True, it was their natural occupation. All other occupations were artificial. If Lord Clarendon carried out his excellent scheme for the formation

of small farms, they would hear of no more outrages—no more murders—in Ireland; nor would they require any poor-laws for that country. He would endeavour to give the Bill his best attention. It was a very bulky affair, and very imperfectly understood by the House. He was afraid it would be as little understood by the people. What the people wanted was something simple. They wanted to work for themselves, and not for other men—they were unwilling that either the landlord or the middleman should have the result of their labours. As far as the Bill went, it was good—it was getting the wedge into the matter. The Government had a difficult task. He could see the right hon. Baronet (Sir William Somerville) look right and left at the Irish landlords when he explained the provisions of the Bill. The right hon. Baronet seemed to ask, "How do you like this?" and "How do you like that?"

Mr. W. SMITH O'BRIEN could not support the measure in its present shape; but he had no hesitation in saying, that if he were offered as an alternative the adoption of the measure, or the letting things remain as they were, he should vote for the Bill. A system of casual or uncertain tenure in Prussia had been converted into a holding in perpetuity, with the greatest benefit to all parties. He considered that it was not just, as between man and man, that when the incoming tenant handed over money to the outgoing tenant for his interest and improvements on the land, and that with the full cognisance and by consent of the landlord, that that incoming tenant should be liable to be ejected by the landlord on the very next day after his entry into possession, without being entitled to receive any compensation. It was his conviction that the Bill would utterly fail, it being merely a measure calculated to undermine the present tenant-right system of Ulster. Another point upon which he could not concur with his right hon. Friend was the principle on which he founded his limitations regarding the compensation to be allowed to the tenant. He did not think the principle a fair one which held that the possession of a farm for a certain number of years ought to be considered as an equivalent to the receipt of compensation for the improvements effected upon it. He did not think it signified whether a man's capital had been laid out twenty years ago, or only yesterday, if the landlord's estate had received the benefit, and been increased in value by the improvements effected by that outlay. He thought the landlord was equally bound to take that into account. His right hon. Friend said that in twenty-one years the value of the improvements made by the tenant would be worn out. He trusted that that power would be reconsidered. It appeared to him that the complexity of the measure would be fatal to its operation. It would give rise to a system of litigation which would render the Bill anything but a blessing to the country. However, he would say no more upon the measure at its present stage. It was a question of the utmost importance to Ireland how and in what manner the relations of landlord and tenant should be adjusted. That was a question which should be immediately considered and settled. He believed its settlement could not be safely postponed any longer. It could not be postponed with safety even to another Session. He believed that if they did not at once, by some means, give to the occupying tenants an inducement to lay out their capital upon their holdings, by securing them from the loss of their outlay, and thereby enabling them to employ their labourers, they would find property of every description, but especially that of landlords, swallowed up by the overwhelming poor-rates. If another Session were allowed to pass over without a satisfactory adjustment of the question, there would be no possibility of obtaining rents peacefully. There would be a universal resistance to the payment of rents. There would be a general combination, which would include not only the peasantry of the south of Ireland, but the Presbyterian yeomanry of the north — a combination against the rights of property. And they would, if they longer postponed a satisfactory adjustment, be obliged at a future time to pass a measure of a description very different indeed from that which would now be found sufficient.

Mr. M. J. O'CONNELL did not think it necessary to go into any details at the present stage of the Bill. But he wished to express his concurrence with many of the sentiments expressed by his hon. Friend the Member for Limerick who had just sat down. He differed from the right hon. Gentleman who had introduced the measure with regard to the distinction drawn between the larger and the smaller holdings, as to the prospective and retrospective rights. He thought it an untenable

distinction; he thought that compensation should be secured to all; but that if any were to have greater advantages in proportion than others, it was the larger holders to whom that encouragement should be given. He hoped Her Majesty's Government would reconsider that point, and allow the retrospective effect to be extended to the larger holders. It was highly requisite that their legislation should now be satisfactory. They should remember the words of Chief Justice Pennefather, who said, "The course of legislation for many years past has all gone in one direction, to strengthen the hands of the landlords against the tenants." The tenants should now be shown that the law was taking a part in their favour, and that it made no difference whether they had ten, or twenty, or fifty acres of land. But he did not concur with his hon. Friend the Member for Limerick in the opinion that the length of time during which the tenant occupied his holding was not to be taken into account in the question of compensation. He could not think that if a man's ancestors had laid out a certain sum of money on a holding in the year 1790, that he was to be entitled to a return for it in giving up possession nearly a century afterwards. In fact, the bulk of improvements made by tenants would be amply repaid to them in less than twenty-one years. He remembered a tenant-farmer having told him that a field which he had drained, it having been previously very boggy, had repaid his entire outlay by the crop which he had off it in the third year. In dealing with the question, the landlords should be prepared to make some sacrifice of those legal (they were not moral) rights which they possessed. His hon. Friend the Member for Rochdale (Mr. S. Crawford) had truly said that the landlord and the tenant were really partners, and they should make mutual sacrifices where their interests were mutually concerned. He (Mr. M. J. O'Connell) was glad that the tenant-right was to be restricted to cases where the tenant made substantial improvements. As to the objection that this Bill would destroy the protection given at present by the tenant-right of Ulster, the two instances given by his hon. Friend opposite proved that tenants in Ulster could be turned out of their holdings as it was. And as to the destruction of the protection, he (Mr. M. J. O'Connell) had too much faith in the determination of the sturdy men of the north, to believe that they would allow themselves to be deprived of their rights by such a measure as the one under consideration. He did not agree either with his hon. Friend and Colleague (Mr. Herbert) in his condemnation of the tenant-right of Ulster. For his part, he would rather see it introduced, with all its faults and imperfections into Munster, than that the present want of protection to the tenantry of the south should continue. But it was a custom which required mutual confidence between the landlord and tenant; and it consequently could not be established in the south, where such mutual confidence did not exist. He therefore thought that a Bill like the present, carried faithfully into effect, would give a confidence to the tenantry. They would be induced to lay out their capital upon their holdings, and when they had done so, they would take care to pay their rents, lest they should lose the advantage of their outlay. It would, consequently, be for the benefit of landlords and tenants.

Leave given.

House adjourned at a quarter past Nine o'clock.

HOUSE OF COMMONS,

Wednesday, February 16, 1848.

MINUTES.] PUBLIC BILLS.—1° Landed Property (Ireland); Landlord and Tenant (Ireland).

PETITIONS PRESENTED.—By Mr. Divett, from Exeter, for Alteration of the Law respecting the Appointment and Translation of Bishops.—By Lord Ashley, and other Hon. Members, from several places, against the Jewish Disabilities Bill.—By Viscount Ebrington, from Devon, and by Mr. Wawn, from Durham, in favour of the Jewish Disabilities Bill.—By Mr. Bond Cabbell, from Marylebone, and by Mr. George Hamilton, from Elgin, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Mr. Bond Cabbell, and other Hon. Members, from several places, against the Roman Catholic Relief Bill.—By the Earl of Arundel and Surrey, and other Hon. Members, from several places, in favour of the Roman Catholic Relief Bill.—By Mr. Bond Cabbell, from Lincoln, and by Colonel Thompson, from Bradford, for the Repeal of the Duty on Attorneys' Certificates.—By Viscount Melgund, from Greenock, for Reduction of Duty on Tea.—By Mr. Anstey, from Solicitors practising in the Court of Chancery, for Restricting Fees in the Court of Chancery.—From Protestant Inhabitants of Roscommon, for Encouragement of Schools, in connexion with the Church Education Society (Ireland).—From the Mayor, Aldermen, and Town Councillors of East Retford, for Sanitary Regulations.—By Mr. Fagan, from Physicians and Surgeons of the Cork Union, for Redress to the Medical Profession (Ireland).—By Mr. Maunsell, from Northampton, for Retrenchment in the Naval and Military Expenditure.—By Sir J. Johnstone, from Yorkshire, against Repeal of the Navigation Laws.—By Lord Robert Grosvenor, from Hertfordshire, for Alteration of the Poor Law.—By Mr. Monsell, for Alteration of Poor Law (Ireland).—By Mr. Hamilton, from Cashell, for Alteration of Poor Law (Ireland), as relating to Clerical Incomes.—By Mr. Greenall, from Warrington, for Alteration of Law of Settlement.—By Mr. Sharman Crawford, from Lancashire, for Referring War Disputes to Arbitration.

ROMAN CATHOLIC RELIEF BILL.

On the Order of the Day being read for the House to go into Committee on the Catholic Relief Bill,

Mr. LAW said, in rising to propose that the Bill be committed that day six months, it was not his intention to trespass at any length on the attention of the House. The measure had already undergone in previous debates considerable inquiry and investigation. It was generally agreed that the Bill should be divided into two portions—namely, the proposed repeal of obsolete statutes, and the penalties still to be enforced; and the reconsideration of the great measure of Roman Catholic Emancipation which was passed in 1829. He could not but regret that this Bill was presented to the House in such a shape as to catch the greatest number of votes for the purpose of going into Committee, without regard to the real merits of the Bill. Many hon. Members suggested, as a ground for further inquiry and for going into Committee, that there was something left on the Statute-book which pressed with great hardship on the Roman Catholics; whilst, on the other side, there were some who were bold enough to undertake the re-opening of the question itself. He agreed with the hon. Member for Midhurst, that, virtually and in substance, all the penalties complained of were repealed by the several statutes to which that hon. Gentleman drew the attention of the House. Many were bold enough to combat the other arguments of the hon. Member for Midhurst; but there were none on the Ministerial benches, nor any of the legal profession, who attempted to deny that, virtually and in substance, all the penalties complained of, and which it was proposed to repeal, were not already repealed by an Act of the Legislature. He should be needlessly occupying the time of the House by going over the ground taken by the hon. and learned Member referred to; but there was one Act to which attention had been particularly drawn, and the passing of which in the present state of the law had been much debated—he alluded to the 1st of Elizabeth, or as much of that Act as regulated the penalties formerly enacted for impugning the supremacy of the Crown. That Act did not proceed, as was usual in the creation of a new offence, by saying, that whosoever did so and so would be liable to such and such penalties; but it assumed that those who impugned the supremacy of the Crown would incur the penalties of *præmunire*. The 1st of Elizabeth assumed it to be an offence at common law, and then proceeded to enact severe penalties; but those penalties were absolutely repealed by an Act introduced by Lord Lyndhurst. But that noble Lord stated expressly, that the repeal of the penalties would not legalise the act of impugning the supremacy of the Crown, and that while he repealed the penalties he left the law precisely as it stood before the Statute of the 1st of Elizabeth had passed. This being the case, he could not concur in the propriety of going into Committee to consider the necessity of repealing a statute which, to the common understanding of any man who could read, was absolutely repealed already. He had gone through the other statutes referred to by the hon. and learned Member for Midhurst, and he saw no reason to impugn the general accuracy of his statements that all the penalties were repealed, or a substitute afforded to the individual, by which all those penalties might be evaded. He now came to the question whether the House was prepared to go into Committee to review the Emancipation Act, and to remove the securities under which that Act was conceded. Whether that Act was just or beneficial or not, it was an Act passed with the greatest difficulty, and was much opposed to the feelings and wishes of the great body of the Protestant people of this country. If the Minister of the day and his adherents had prevailed on their friends to give way on so momentous a question, the express condition was, that certain securities, alleged to be essential, should accompany the Act of Emancipation; it was hard indeed that the House should be called upon now to repeal such securities, or to disturb a question thus settled, and re-open all the agitation and painful feeling which originally accompanied a concession so unacceptable to the great majority of the British people. If he were called upon to re-open the question at all, he would not agree to any partial repeal of it; on the contrary, if he were driven to his original feeling—and he was quite satisfied that that was the feeling participated in by many in and out of that House — if he were driven to repeal the securities, he would also endeavour to repeal the Act itself: upon no other terms would he consent to repeal the securities. He deprecated those constantly recurring questions—recurring on the most frivolous pretexts—respecting obsolete and repealed

statutes. He deprecated, in the strongest degree, the re-agitation of this most momentous question. Could any one say that without those securities—feeble, unhappily, as they were—the consent of the British Legislature would have been given to the measure? Neither the Throne, the Legislature, nor the people, would have consented to the passing of the measure, unless it had been accompanied by other securities, and unless the measure was to be deemed, in all respects, a final settlement of that great question. It was now too bad to be told at the end of eighteen years that those securities should be repealed. This was a most unhappy moment in which to raise again debates upon religious subjects affecting our Roman Catholic brethren. He could from his heart have wished, that, instead of making fresh demands, they had rallied round their Protestant brethren, and assisted in preserving the Christianity of the British nation, and not in introducing into Parliament persons who were the greatest enemies of Christianity. The democratic tendency in Ireland, and the use made of it in reference to the Roman Catholic religion, seemed to be directed against the institutions of this country as affecting the Church of England. This division among Christians, Roman Catholic and Protestant, upon the question of an exclusively Christian Legislature, was a very heavy blow dealt by one class of Her Majesty's subjects against another class, struggling to prevent the admission of infidels into the House of Commons.

Mr. HENRY DRUMMOND considered that the speech of the hon. and learned Gentleman (Mr. Law), and his amendment to the present Bill, were made some twenty years too late. The principle of the constitution of that House once was the exclusion from its walls of all except members of the Church of England. He did what he could to prevent the alteration of that constitution. The Roman Catholic Gentlemen in that House and the Dissenters owed nothing to him, for he did everything in his power to exclude them. But it had seemed fitting to the wisdom of Parliament to alter that whole constitution; and the constitution now established went upon the principle that there should be no exclusion from any post or office for religious opinions. Without saying whether this were right or wrong, he must maintain that, unless those who thought as he thought twenty years ago would endeavour to persuade the House to retrace all its steps, it was perfectly absurd to suppose that any modification of that first principle could ever be revived. No Roman Catholic, no Dissenter, would or ought to rest satisfied until, by continual importunity, he had wrung either from our justice or our fears the full participation of all which we enjoyed ourselves. The common justice of mankind cried out against this system of exclusion, and its advocates had not a leg left to stand upon. If such a Bill could not be opposed on the ground of principle, it was vain to argue it on the ground of expediency. The hon. and learned Gentleman had said that the Roman Catholic Relief Bill was conceded by a reluctant Government and a reluctant people, in the hope of conciliation. In so saying, he had recalled reminiscences which it would have been better to leave in silence. It was no credit to the Government of that day that granted the measure. The parties who introduced that measure asked Parliament to pass it in order to avert civil war. That was a dangerous lesson; it taught the people that it was only necessary to agitate to the verge of civil war, and then the Government and the Legislature would grant anything they required. It was impossible to believe that any of the dreadful results to which the hon. and learned Member had referred would flow from the adoption of the measure under consideration. For his part, he could not make out what person or what thing was in danger. It was said that some abstraction, called the Church of England, was in danger; but he sought in vain for it. When it could be shown what person or what thing was in danger, it would be time enough to take measures to guard against the peril. It was exceedingly unjust, to say the least of it, to talk of throwing open to Roman Catholics the offices from which they were at present excluded, as a concession, as if we Protestants were, after all, the lords and masters of all persons professing a different creed, and could give and withhold privileges at our sovereign will and pleasure. We had gone too far to allow of our standing upon that ground any longer; and to those Gentlemen who would attempt to make believe that that ground was really tenable, he would take the liberty of pointing out how dangerous it was to hold language on one side of the House which they were aware they could not use on the other. There were among the Gentlemen on that (the Opposition) side of the House

some who were candidates for the opposite seats; would they venture to form any Government upon the principle of Church-of-Englandism? They knew they would not. Then let him remind them, that if there was one thing which more than another had tended to bring the proceedings of that House into contempt, it was that men would, for certain purposes, maintain opinions, or at least use arguments, which they knew they could not maintain on the opposite benches. For these reasons, and for many others, he held it to be very desirable that the House should go into Committee on the Bill.

Sir R. H. INGLIS questioned whether the hon. Member for West Surrey had read the Bill. Could that hon. Member find any one single, he would not say clause or provision, but line in the Bill, which made especial reference to place, office, or distinction of any kind whatever? And yet the hon. Member, with an authority which he did not deny was due to his talents, but which he denied was due to him in any other respect, pronounced, with that oracular tone and manner which so eminently distinguished him, that, whether it were wrung from their justice or their fears, neither the Roman Catholic nor the Dissenter ought to rest satisfied until he had obtained perfect religious equality with the Protestants of these realms. But this Bill did not seek in the slightest manner to confer any privilege upon the Dissenter—it merely sought to give more freedom to the Church of Rome in this country. He would sit down instantly to enable his hon. Friend to correct him if he were under a misapprehension; but he had given no sign of any such mistake on his part; and he (Sir R. H. Inglis) contended that, whether the speech of his hon. and learned Friend the Member for the University of Cambridge might or might not have been appropriately delivered against the Bill of 1829, it was a speech which also, and directly, applied to the Bill now before the House. The speech of his hon. Friend the Member for West Surrey had nothing whatever to do with the subject of the present discussion. That hon. Gentleman rose at a time when the hon. and learned Member for Youghal (Mr. Anstey) intended to address the House, as by the forms of the House he could not have answered the speech of his hon. and learned Friend the Member for Midhurst on the day on which it was delivered. He knew that it was the intention of the hon. and learned Member for Youghal to have risen; and, indeed, he had risen for the purpose of endeavouring to answer that most able and, he believed, unanswerable speech. It had been conclusively demonstrated by the conjoint efforts of the two hon. and learned Members (Mr. Law and Mr. Walpole), that, as far as related to the first part of the Bill then on the table of the House, of the eight statutes proposed to be repealed, six, at least, had already been taken out of the Statute-book; but such was the vigour and determination of the Hon. and learned Member for Youghal, like a certain hero after a famous battle, that he was not content with seeing their dead bodies before him thrice slain, but he must still further endeavour to destroy them. Would any man deny that six of the Acts proposed to be repealed by this Bill had been specifically repealed by statute a few years ago? While the hon. and learned Member (Mr. Anstey) came forward with the pretext of removing Acts which were quite obsolete, and which were mere incumbrances on the Statute-book, and were the works of the dark ages, as they were once called in that House—his real intention was by this Bill to destroy such securities as Parliament provided, by a large majority, for maintaining the ascendancy of Protestantism and the constitution of England in 1829. As was stated in the numerously signed petition from Bristol which he had that day had the honour of presenting, as well as that presented by his hon. and learned Friend the Member for the University of Cambridge, this measure was brought forward ostensibly for the purpose of removing grievances which existed only in name, but substantially for the purpose of demolishing those securities which we still enjoyed for the maintenance of our Protestant constitution, But, as had been said, with great force, by his hon. and learned Friend the Member for the University of Cambridge, the time itself was ill-omened and inopportune for any such measures. He (Sir R. H. Inglis) would not admit that any time was opportune for the proposal of such measures; but he agreed with his hon. and learned Friend in thinking that in the present state, not only of England, but of Europe generally, it was a most unfortunate time for the removal of any securities which remained to Protestantism in this or any other country. Why, what had been said to be the intention of the Pope in reference to this country? And had it ever been contradicted?

Had it ever been denied, up to the present moment, that the Pope was attempting to do, in this Protestant realm of England, what he ventured to say fearlessly, and without hazard of contradiction from any representative of Her Majesty's Government then in the House, not even from the right hon. Gentleman who sat beside him (Mr. Sheil), the Pope would not dare to attempt—he used the words most deliberately—in that kingdom nearest to our own—the kingdom of France. He sincerely believed that the Pope would no more dare to create a bishopric in France without the consent of the Sovereign, than he dared to raise an army to attack the King of France bodily in his own dominions. He knew full well that he could no more venture to do that in Austria—he stated all this deliberately, and without hazard of contradiction—the Pope would not dare to do that in any part of Roman Catholic Europe. But the Pope relied upon that ill-omened conjunction of the members of his own Church with the great body of Liberals and Dissenters and Latitudinarians in England—the conjoint influence of whose power might prevent the Government of the day from taking any measures to resist his attempts. It appeared, then, as his statement had not been contradicted, that it was the intention of the Court of Rome to subdivide Her Majesty's European dominions, as well as those beyond sea, into bishoprics, without the consent of the Crown of England; and he contended, in the language of the Dean and Chapter of Westminster, whose petition he had the honour of presenting in the course of the present Session, that it was high time that England should, instead of repealing its own just and necessary law against Popish aggression, vindicate its own independency, by calling on the Bishop of Rome to withdraw his usurpations and invasions upon the dignity of the English Crown, the integrity of the English constitution, and the liberties of the English people. He fully concurred in the sentiments of the Dean and Chapter of Westminster. He hoped that the time had arrived when the Bishop of Rome—that was the legal language of the Church of England, which the distinguished individuals forming the Dean and Chapter of Westminster were not ashamed to use—should be called upon to withdraw this system of aggrandisement, aggression, and usurpation, and to leave unbroken those barriers which had still preserved to us our Protestantism, and which might God long preserve! His hon. Friend the Member for West Surrey would not, as he (Sir R. Inglis) had already said, find a single line in this Bill which had special reference to any place, office, or dignity, which was withheld from members of the Church of Rome by any existing statute, and which the present Bill proposed either to restore, or place afresh in their power. He (Sir R. H. Inglis) knew that there were members of the communion of the Church of Rome who, publicly and privately, for the last eighteen or nineteen years—he would not say forgetful of any obligations into which they had entered, but certainly with a disregard of the spirit of the stipulations made on their behalf by those who introduced the Act of Roman Catholic Emancipation in 1829—had striven and were striving to procure the repeal of all the securities which the Act of 1829 provided, and to obtain all those places which the law at that time kept from them. He knew what their defence was, because, after very little experience in that House, any one might know the tactics of those with whom they associated. They did not originate the measures themselves, and therefore they said they were not injuring the Protestant Church. The measures originated with members of the Protestant Church, and then Roman Catholic Members, whatever might have been the understanding, the declarations, or the spirit of the stipulations of 1829, would say, in defence of their vote for such measures.—"A member of the Protestant Church has brought forward this Bill; and I feel myself justified in voting for it, because a Protestant Member would not have introduced it if he thought it was calculated to diminish the security of Protestantism." Incidentally he might notice that a measure had been introduced elsewhere, of which he would not say more at present, because he wished to abstain, not only from introducing extraneous matter, but also to refrain from expressing an opinion, until he was directly called upon to do so: but that Bill, he perceived, did give, not the Christian title which our Christian Church and laws, for generations, and for centuries almost, had applied, viz., Bishop of Rome, but that *quasi* heathen title of Pontifex Maximus, or Supreme Pontiff, to the head of the Roman Catholic Church. [Mr. SPEAKER: The hon. Member must not discuss a Bill which is before the other House of Parliament.] He begged to apologise to the right hon. Gen-

tleman and to the House. The first of the clauses of the Bill of the hon. and learned Member provided that a Roman Catholic ecclesiastic, or member of a religious order of that Church, should be allowed to perform religious services and wear the habits of his order in any place where a congregation might be assembled for religious service according to the rites of the Roman Catholic Church, or in a private house where there were not more than five persons assembled besides those of his household. Now he remembered to have heard the late Mr. O'Connell use language to the following effect:—"No one can be more ready than I to oppose any clause which would legalise any procession of the Host, or expose the adorable sacrament to insult." He knew it was a very different thing to carry the Host in procession before a mixed multitude and in the streets of a populous city, and to expose a crucifix or other objects of religious use and worship in the same streets in another service; but he apprehended that neither the one nor the other could at this moment be legally adopted in England; and he was still more certain that not one could be adopted which could more offend public decency and the public peace. And yet, though it was distinctly prohibited by the Emancipation Act that funeral processions, with Roman Catholic emblems, should be permitted to pass through the streets or public highways of this country, he had great reason to believe, not merely that an attempt had been made to solemnise the service of the Church of Rome over the dead, in an English Protestant churchyard, but that a procession had been seen, extending for some distance on a turnpike-road, and in the immediate neighbourhood of a noble Lord, whom he named in this instance that he might honour him—he referred to the Earl of Shrewsbury, who, when he was informed of it, prohibited it. He stated that he mentioned that to the honour of the noble Earl, though he believed that testimony from a Protestant would be regarded as anything but flattering to the character of that noble Earl, and would only entitle his Lordship to the renewed obloquy of those who were incapable of appreciating integrity and truthfulness. He begged pardon, however, of the noble Earl for presuming to introduce his name into these discussions. He held in his hand a letter, duly authenticated, which stated that there had been recently several processions such as that which had taken place in the neighbourhood of the noble Earl's residence; so that at the very moment that the House was asked by Roman Catholics to grant them concessions and indulgences, and a relaxation of the existing law, they were actually acting in violation of that law; and they knew that in so doing it was almost an impossibility to convict them, for, in the case of monks and other religious orders, their names were not known: it might be that the violator of the law was an Italian priest, who, as soon as as he heard of an intention on the part of the Government to prosecute him, could escape to his native country before any proceedings could be taken against him. He only mentioned that for the purpose of showing the spirit of aggression on the part of Rome—an aggression which was insatiable, and which would, if that House relented its firm purpose, or refused to throw out this Bill by the large majority of last year, destroy year by year Protestantism in the same manner as the framers of this Bill had endeavoured as far as they could to destroy even the profession of Christianity in this country. He meant so far as that profession was connected with the supreme Legislature of this country; and here, at least, he might say, without any breach of order, that the Bill to which his hon. and learned Friend (Mr. Law) had alluded—the Bill for the admission of Jews into the Legislature—proceeded upon the *postulatum* that religion was a thing indifferent to the people and constitution of this country. The Bill now before the House proposed further to legalise associations of persons bound together by religious vows, although it was one of the special objects of the Act of 1829 to fetter, if not altogether to prohibit, such associations. The Bill made special reference to the Society of Jesus, or the Jesuits. Now, when he recollected that the wisdom and sagacity of every nation in Christendom in the course of the last 250 years had successively expelled the members of that order from their respective dominions, he could not admit the truthfulness or accuracy of an expression used by the late Mr. O'Connell, that "the virtues of the Jesuits were their crimes." He (Sir R. H. Inglis) hardly knew whether that was an extemporary verse made expressly for the occasion, or whether it emanated originally from some other authority; but he denied that the assertion was founded on truth. How could he give assent to it when he found that there was not a country in Europe, whe-

ther Roman Catholic or Protestant, from which the Jesuits had not been expelled? They were banished from France in 1594, from England in 1604, from Venice in 1606, from Portugal in 1759, from Spain in 1767, from Naples, Malta, and Parma in 1768, and from Paraguay (where if in any country on the face of the earth they ought, one would suppose, to have been recommended by the practical results of their teachings) in 1733. Finally, they were suppressed by the Pope himself in 1773. And yet that was the society which it was now proposed to reinvite into England, and whose residence amongst the English people was to be made a matter of praise and eulogy, rather than of censure and injury. Every one of the countries which he had enumerated as kingdoms from which the Jesuits had been banished was Roman Catholic, with the exception of England, and nevertheless every one of them had found the existence of the Jesuits intolerable. He could not but think that they had so found it with too much reason for themselves. Their doctrines had been so frequently exposed in that House—on a memorable occasion eighteen years ago, and on many occasions since that period, and were so well known to hon. Members, through their acquaintance with general literature, that it was unnecessary for him to expend much observation on the question now; but there was one objection that he was anxious to deal with. He might be told that although he might succeed in excluding the corporeal presence of the Jesuits, it was wholly out of his power to exclude their books and their principles; but to this argument no weight was to be attached. Was he to be told that because he could not exclude the book, he was not on that account lawfully and perseveringly to endeavour to exclude the commentator? Bad as their books were, they were made still worse by their *viva voce* commentaries; and of two evils it was better to have the book by itself, than the book with the commentator. If he could not exclude the *Secreta Monita*, was he not, at least, bound to do his best to keep out the ingenious logician whose living commentaries on that pernicious book would make its doctrines yet more injurious? While on the subject of the doctrines of the Jesuits, he would take occasion to say that those doctrines were very remarkably illustrated by one passage from a very famous book of theirs to which he recently had had access. He was sorry that a distinguished Member of that House was not in his place to hear it read; but his absence should not prevent him from giving the House the benefit of the extract. The passage he was about to quote was taken from the *Exercitia Spiritualia* (Rome, 1548)—a work the value of which would be acknowledged even by the hon. and learned Gentleman the Member for Youghal. It ran thus:—

"Denique ut ipsi ecclesiæ cunctæ Catholicæ omnino unanimes conformesque simus siquid quod oculis nostris apparet album nigrum illa esse deffinierit debemus quod nigrum sit pronunciare."

He would not make a more direct reference to any one not then present, but it might be in the recollection of the House that there was a certain hon. Member whom no enemy had ever accused of being a Jesuit, but who, nevertheless, had said that he would undertake to vote black white, and white black. The use that would be made of that incident by the advocates of the present measure, would be to represent that it was not necessary for a man to be a Jesuit to hold the doctrine that black might be made white, and white black, according as expediency required; and that, therefore, no such great danger would follow on the admission of the Jesuits. But in answer to that argument, he (Sir R. Inglis) would venture to say that the hon. Member in question, whose opinion, however valuable on a question of finance, or of public taste, was not, perhaps, equally so in a matter of morals. The statement as made by the hon. Member was harmless, except in so far as the hon. Member himself might be concerned; but it was far different when such a doctrine was laid down by a great religious community such as the Church of Rome, and was explained and enforced by the most powerful of all the religious orders belonging to that Church. The hon. and learned Member for Youghal had said that, at this moment, every Christian Brother was liable to transportation to Norfolk Island. [Mr. ANSTEY: Hear!] Now that was a serious charge; and he hoped that the hon. and learned Gentleman, whilst replying to the masterly exposure of the hon. and learned Gentleman the Member for Midhurst (Mr. Walpole) would not forget to address himself to that subject. With regard to the first point, the oath of supremacy, he begged to say that the hon. and learned Gentleman, as had been done in several instances by his predecessor, Mr. Watson, quoted

cases for the purpose of showing the justice of relieving Roman Catholics from the penalties attaching to non-compliance with the Act of Supremacy. Now, if there were grievances existing which affected Roman Catholics and Dissenters, he wished to ask the hon. Member for West Surrey (Mr. H. Drummond) why he had not proposed some provision in this Bill which might also apply to the case of the Dissenter? But with regard to the members of the Church of England, he warned the House to take care that they repealed no provisions of the Act of Supremacy. Do not let it be said that any member of the Church of England wished on any account to deny the right of the Queen to any portion of authority which by law belonged to her over that Church. He knew that what he was saying would be taken in a different sense to that in which he used those words; but they had learnt enough in the course of the last six or seven years to be aware that there were many who anxiously desired to sever the connexion between the Church and the State. To that connexion he was firmly attached—believing that in any country the State gained more from religion than religion gained from the State—and believing that in our own country it was most essential, particularly in the mixed multitudes who were now permitted to legislate for that Church, that the Church should have the protection of that State with which it was allied. But though he believed that the Church should be inseparably united with the State, he knew not how Roman Catholics, Dissenters, and Protestants indifferent to the Church of England's interest, in that House, might hereafter affect that union; and he, therefore, protested against any diminution of the securities which the Church of England enjoyed. His hon. Friend near him wished to know against what the Church of England was to be protected. He would tell him. The Church of England was to be protected against her own sons, who, in her own pulpits, might preach doctrine contrary to her own. Any measure which could at all tend to take away any of those securities now provided for the maintenance of the union between Church and State, must of necessity be deeply detrimental to the best interests of both, and to any such measure he should therefore feel himself called upon to offer the most strenuous opposition. In conclusion, he would only say that he could wish that all the Roman Catholics of the empire were animated by the same spirit as a certain noble Member of the English aristocracy who was accustomed to take a prominent part in the discussions of this kind. Twenty years ago he expressed a wish that all the Catholics of the kingdom had been led by the Cliffords, and now he could wish that they were all led by the Howards. He could not better conclude than by adopting the language of the Earl of Arundel and Surrey, in a letter addressed by that noble personage to his Friend, Mr. Plumptre:—

"Would to God that we were all united in one faith, and could devote all our time and all our energies to His service, and in His service to the benefit of His creatures our fellow-men, instead of taking part in endless disputations; and if we cannot be members of the same holy faith, would to God that we could concede full liberty to all, yielding in a generous spirit to the dictates of charity and justice, interpreting each other's feelings with brotherly love, seeking to put the best construction on each other's actions, and palliating each other's faults!"

It had ever been his (Sir R. Inglis's) anxious desire to conform his life to these admirable precepts; and he could not forbear saying that he felt happy that on the present occasion an opportunity should have arisen for quoting from one, of whom he would only say that his words, actions, and demeanour in that House had been in uniform and undeviating accordance with the feelings which he had so felicitously expressed. He had much pleasure in seconding the Amendment.

Mr. H. DRUMMOND, in reference to the hon. Baronet's remarks as to his not having proposed a clause in favour of Dissenters, explained that it would be impossible, as the measure was intituled "A Bill for the further repeal of enactments inflicting pains and penalties upon Her Majesty's Roman Catholic subjects on account of their religion."

Mr. ANSTEY would not attempt to follow the hon. Baronet (Sir R. H. Inglis) in his observations with respect to the connexion between Church and State—first of all, because the object of this Bill was in nowise to destroy that connexion; and, secondly, because he thought the internal management of the Church of England, her doctrines or her discipline, were not the points under the consideration of the House. It was true that this measure did not profess to give Protestant Dissenters relief from such enactments as related equally to Roman Catholics and Dissenters; but in framing this Bill so as

to confine its provisions to the Roman Catholics, he had in view the powerful argument which was urged against a Bill brought into the Legislature some years ago, and which was generally called "Lord Beaumont's Bill," and which would no doubt have been raised against this Bill had it been open to such an argument, viz., that a measure had been brought forward by a Roman Catholic, professedly for the relief of his brethren, and yet meddling with matters in which Roman Catholics were in nowise concerned, and dealing with the interests of those who had not placed any trust or confidence in its framer or supporters. When a measure for the relief of Protestant Dissenters from such penalties as might still affect them was brought before that House, and of which Protestant Dissenters might approve, he was sure there was not a Member of the Legislature who would be more ready than himself to give it support. His attention had been especially directed by the hon. Baronet (Sir R. H. Inglis) to the law as it regarded the Christian Brothers. He (Mr. Anstey) did say, and he now repeated, that the Christian Brothers, whom the hon. Baronet specified, no doubt, because their popularity and their avocations freed them of a share of that odium which attached at present to the regulars at large —those Christian Brothers, in common with all religious orders of the Church of Rome, were at this moment subject to legislation which made them liable, in the first place, to fine and banishment, and in the last place to the pains and penalties of transportation for life, aye, to Norfolk Island, or to any other penal settlement which Her Majesty, by the advice of her Privy Council, might select. He stated that advisedly—he stated it on his responsibility as a lawyer and as a Member of that House; and, if the hon. Baronet wished to have a proof of his statement, he would refer him to the clauses in the Act of Parliament—the 10th George IV., c. 7, beginning with Clause 28, and ending with Clause 36, which clauses provided that if any Jesuit or Regular, sentenced and ordered to banishment under that Act, should be found at large within these realms, without lawful cause, at the end of three calendar months— [*Ironical cheers.*] He did not understand the meaning of those cheers—he was answering a question put to him by the hon. Baronet—he was proceeding to read a clause which, in his judgment, made the Christian Brothers liable to the heavy penalty of transportation for life to Norfolk Island, or any other penal colony. [Sir R. H. Inglis: There is no penalty if they register their names.] He would first finish the clause, and he would then answer the objection. The clause was, that if any Jesuit or Regular, sentenced and ordered to banishment under the Act in question, should be found at large within these realms without lawful cause, after the end of three calendar months from the time of such sentence and order, such person should on conviction be sentenced to transportation for life. Now it was true that some Regulars and Jesuits, on registering their names, were protected by another clause of the Act from the general penalty; but the House would see in one moment that it was not true that all Jesuits and all Regulars might now register their names in the manner required by one portion of the Act. The preamble of the first clause recited the expediency of making provision for the gradual suppression and final prohibition of the Jesuits and the members of the other religious orders and communities of the Church of Rome, within the United Kingdom. If it were true that by registering their names all Jesuits and regulars whatever could protect themselves, how could the purpose of that enactment be accomplished? How could their "gradual suppression and final prohibition" take place? But the House need not be left to mere conjecture on this matter: they were told expressly in the succeeding clauses, first of all, that the Jesuits and Regulars—he begged the House to mark the language—who were resident in the United Kingdom on the 23rd of April, 1829, should, within three months after that day, register themselves according to the form described by the Act. And if a natural-born subject, being also a Jesuit or a Regular, should happen on the 23rd of April, 1829, to have been out of the realm, and should afterwards come into the realm, he might, within six months after his arrival, register himself. Then it was provided that those Jesuits and Regulars who had so registered themselves, should be allowed to remain in the realm without molestation. Now, since the passing of that Act, or rather since the period named by the Act—the 23rd of April, 1829—nineteen years had elapsed, and he need not inform the hon. Baronet that a very large proportion of the Regulars of the Church of Rome, at pre-

sent officiating in Great Britain and Ireland, were not within the letter nor the spirit of that enactment. Yet they had professed themselves Jesuits or Regulars, since the 23rd of April, 1829; and it was not competent for them to register themselves, first, because the Act of Parliament made no provision for their case, and, secondly, because if they had done so they would have furnished to the Attorney General of Her Majesty unimpeachable evidence of their guilt; for it was guilt which they had contracted under the letter of this penal statute. Many of those clergymen were amongst the most estimable members of the Church of Rome; and it was for their relief that the Bill before the House was intended. There were no doubt, some of the Regulars and of the Jesuits who had qualified themselves under the Act of 1829. He knew that whatever might have been the case with the Regulars of Ireland, the Jesuits and Regulars of this country did take the earliest opportunity, after the passing of the Act, to qualify themselves in the manner which it required. If, indeed, that Act had provided for the registration of those who might profess themselves after the 23rd of April, 1829, he was quite satisfied that all the Jesuits and Regulars within the United Kingdom would at this moment have been found to have qualified themselves in like manner as those who had professed before the passing of the Act. That they had not done so was owing to the penal legislation of this country. If they desired to know who those were who had violated a law which, in their conscience, they could not obey, they had only to give to the offenders the indemnity required by this Act. He hoped, then, that the House would not refuse to grant so just and reasonable a request. He (Mr. Anstey) had now, he trusted to the satisfaction of the hon. Baronet, answered his questions, and he would leave the questions and answers to the judgment of the House. He could not pass on to the consideration of some of the objections raised by the hon. Baronet the Member for the University of Oxford without first addressing to the House a few observations in reply to one or two arguments of the hon. Baronet, inapplicable though they appeared to him to be to the immediate subject of the debate. The hon. Baronet had read a quotation from the *Exercitia Spiritualia*, and he (Mr. Anstey) did not mean to question the accuracy of the quotation which the hon. Baronet had made from that book, because he felt that the hon. Baronet was incapable of stating a falsehood. But he begged the House to bear in mind that the object of that book was not one of a political or social nature. It was a work of a spiritual nature, intended for the formation and regulation of the ascetic life, and it was more immediately directed against certain mischiefs — for they were mischiefs in the judgment of the Church of Rome—which had then made their appearance within the pale of the Church. He alluded to the religious dissensions of the sixteenth century. In laying down the rules that should guide the Christian man who aspired to the name and substance of orthodoxy within the pale of the Church, St. Ignatius Loyola had laid down doctrines which his Roman Catholic readers at least, whether they were opposed to the expulsion of the Jesuits from Venice, or were favourable to it, could not deny—namely, that in matters of faith the evidence of the senses was not to be adhered to, but the teaching of the Church. The judgment of the senses was held to be of no avail. According to the senses, the object might appear to be as if it were white, and yet the judgment of the Church might be that it was black—the subject being a mystery. He too highly regarded the sacred character of a certain doctrine to make it the object of more than a passing allusion in that House; and he need not remind the hon. Baronet that the subject peculiarly in point was the subject of the real presence, as held by the Church of Rome. In such a case the judgment of the senses must be set aside by the Roman Catholic, by whom the teaching of the Church is alone to be followed. He (Mr. Anstey) apprehended there was no Christian Member of that House who believed in mysteries—whether it were the existence of God, or the doctrine of the Trinity, or any other doctrine in which Christians were generally supposed to concur—who would not with the same effect as St. Ignatius Loyola hold to the same doctrine. Then it was said by the right hon. Baronet that Rome was engaged in a series of aggressive acts against the Church of England, and that this Bill was intended for the support of the actual Pontiff in those acts of aggression, inasmuch as it would strengthen the position of his followers within these realms. One instance the hon. Baronet quoted of what he supposed to be an aggressive nature, namely, the

nomination of an Archbishop of Westminster. If the fact were so, he (Mr. Anstey) thought he could satisfy the hon. Baronet that as no aggression was intended, so no injury could result from it. The hon. Baronet must be aware that ever since the Church of Rome had obtained a legal *status* and capacity in this country, it had been governed by vicars-apostolic, or bishops possessing legatine powers—powers far superior in character, though inferior in duration, to those belonging by the canon law to the ordinary bishops of the Church of Rome. They possessed during the period of their appointment all the powers of the ancient legate: that is to say, all the powers of the Sovereign Pontiff, with one reservation, which in legatine appointments was invariably made. On the other hand, they were subject at any moment to be removed, with or without cause, at the will of the Sovereign Pontiff. In like manner, the priests who were subject to the vicars-apostolic of the Church of Rome in England, had very great powers—he meant powers of a spiritual nature—and those powers were greater than those which the canon law vested in the parish priest in Ireland. But they were subject to removal at the will of the vicar-apostolic, with or without cause. It might not be known to the House, but unfortunately it was but too familiar to the Roman Catholic Church, that this state of things, though at one time generally acceptable, had given rise to some difficulty of management in the Roman Catholic body; and on the common application of the English clergy and laity of the Church of Rome, the present Pontiff had determined to introduce into this country a system of church government for the Roman Catholics more nearly akin to that which prevails in Ireland than to that which hitherto had prevailed in Great Britain. The details, however, were found to be complicated, the difficulties that presented themselves were immense, and up to that moment no decision had been made. He would demonstrate to the House the impossibility of any decision having been as yet taken. There could be no archbishop or bishop appointed within this country without parish priests to elect them. Now, that question was still before the Court of Rome, and undecided. If the hon. Baronet had heard any rumour with respect to the appointment of any person to the position of an archbishop in Westminster, his information had been premature. He (Mr. Anstey) acknowledged that he had himself heard such a rumour; but within a few days after it was first ventilated, he had heard it contradicted on the authority of the very Prelate to whom rumour had assigned the Archbishopric of Westminster, namely, the right rev. Dr. Wiseman. At the same time he must inform the hon. Baronet, that if he supposed the legal recognition of the episcopal authority enjoyed by the Catholic prelates was yet to come, he was behind the age in his information. For some years since, in the case of a peerage, where a claim was made to the dukedom of Sussex, a decision of the House of Lords, arrived at after consultation with the Judges, established the judicial authority, not merely the spiritual authority and capacity, of all prelates of the Church of Rome having legatine powers from the Pope within this country. Their Lordships accepted the verbal declaration of such prelates as irrefragable evidence of what was the canon law at Rome on the subject of marriage between Roman Catholics and Protestants. They were held to be *juris periti*, not because they were doctors in the Roman courts of justice (for they denied that they had ever practised there), but simply because they administered it here in England and Wales as judges under the authority of the Papal rescript. Upon testimony thus given, and with the unanimous concurrence of Lord Lyndhurst, then Chancellor, of all the learned Lords and of all the Judges, did the House of Lords decide upon giving effect to a marriage, which up to that period of the case they had determined to set aside, and pronounce invalid *ab initio*. The effect of that decision was to establish the validity of the marriage of the late Duke of Sussex with the mother of Sir Augustus D'Este and Mademoiselle D'Este, in every country in the world, except in this country, where the validity of the marriage depended upon the wording of the Royal Marriage Act. It was unjust to impute to the framers of the Bill at present under discussion, any feeling hostile to the Christianity of the country. It was true he (Mr. Anstey) had voted for the measure to remove Jewish disabilities; and he justified that vote on the great principle so profoundly and ably expounded by the right hon. Gentleman near him (Mr. Gladstone) in the eloquent and statesmanlike speech he had delivered on that subject. But there was no connexion between the two measures. There was the same difference

of judgment amongst Roman Catholics as amongst Protestants upon the question of Jewish emancipation. If some Roman Catholic Members had voted for that measure, two had voted against it. It might gratify the hon. Baronet to know that it was in his (Mr. Anstey's) power to make what he conceived to be a conclusive answer to every one of the objections brought forward on a former occasion by his hon. and learned Friend the Member for Midhurst, and repeated that day by the hon. and learned Gentleman the Member for the University of Cambridge. He knew that in one or two instances he could establish to the satisfaction of his hon. and learned Friend himself, that the main objection proceeded upon a false assumption of the present state of the law with respect to Roman Catholics. To begin with the first Act, commonly called the Act of Supremacy, there was a misapprehension on this subject, into which his hon. and learned Friend had been led by the language of the Act commonly called the Religious Opinions Act. That Act provided for the repeal of this enactment so far only as the specific penalties named in the Act were concerned, and no further. But the common-law penalties of fine and imprisonment for the simple misdemeanor of contravening a statute in which no penalties were mentioned, did now, precisely because of that repeal of penalties, attach to the offences named in the Act. With respect to the second Act, the 13th Elizabeth, chap. 2, his hon. and learned Friend was mistaken in supposing that the Act went no further than he had stated. Under the Act of Elizabeth, it was still illegal to bring in any bull whatever from the See of Rome, however harmless its character; for instance, a bull for the consecration of vicars-apostolic, or that which had been addressed to the bishops of Ireland, telling them not to permit the denunciation of any persons from the altar in Ireland for matters of a temporal or a civil character. Such bulls were as illegal at this moment as the bull *In Cœna Domini*, for there was a clause in the Act of Elizabeth which had escaped the hon. and learned Gentleman's observation, and which said, that if any person or persons should obtain or get from the said Bishop of Rome, or any of his successors, any manner of bull, writing, or instrument, containing any matter or thing whatever, or publish any such bull, writing, &c., every such act should be deemed and adjudged to be high treason. Now, the Religious Opinions Act repealed the penalties for high treason contained in the Act, but stopped there. That is to say, the Act was repealed only as to those penalties, but otherwise left in force. Therefore, the Roman Catholic Archbishop of Armagh, who lately had received a rescript from the See of Rome on the subject of denunciations from the altar, and had published it to the bishops and clergy, was at that moment liable to the punishment of fine and imprisonment for misdemeanor, inasmuch as he had violated the express letter of the Act of Parliament. He (Mr. Anstey) proposed to abolish this mischievous legislation; and that would be the effect of the Bill which was now brought before the House, if it were suffered to pass into law. He was surprised to hear it said that the Papal supremacy was illegal at common law. There had frequently, in the history of this country, been contests between the temporal and spiritual powers—there had been discussions, not on the existence of Papal supremacy, but on the degree and extent thereof. Some popes might have too much extolled that supremacy; some kings might have overmuch depressed it; but there never was a question at the common law that the spiritual supremacy of the Catholic Church in England was vested in the Pope of Rome. The first Act of Parliament to the contrary, was passed in the reign of Henry VIII. That Act took the supremacy away. There had, indeed, always been difficult and delicate matters to regulate with regard to Church and State, and these matters had furnished many subjects for legislation. But the House would find, on referring to the law of *præmunire*, for instance, that that law proceeded altogether on the assumption that the Pope exercised a lawful spiritual supremacy within this kingdom. He would not read the clauses singly, but he would refer the House to the first Act of *præmunire*, the 38th of Edward III. That Act, in its preamble, recites the mischief which had called for legislation. It says that citations had been served on the subjects of this realm dwelling in this country to appear in courts out of the realm, on false suggestions and suppositions. If, as the Act stated, people were cited to Rome on false suggestions, then the practice would certainly have constituted an intolerable grievance. But did the Legislature declare that no such jurisdiction existed as that exercised by the

Court of Rome? No; they acknowledged the existence of such a court, but merely enacted that citations issued from it should not be served on the subjects of this realm dwelling within the realm. The 16th of Richard II. contained a similar provision. Those, and such as those, were the only provisions in Acts of Parliament anterior to the reign of Henry VIII., passed in derogation of the Papal jurisdiction. That which by the Act of Supremacy was made an offence, and was at the present moment an offence punishable by fine and imprisonment, was no offence at common law. The 13th and 14th of Charles II. was partially repealed by the 7th and 8th Victoria—commonly called Lord Beaumont's Act—and by the Religious Opinions Act, the 9th and 10th Victoria. The former repealed the Act so far as the Statute of Edward VI. was concerned, and the Common Prayer Book set forth in that statute. The latter repealed the Act so far as it related to schoolmasters, leaving untouched the offence against the Common Prayer Book. Many alterations in the law were effected by the 13th of Charles II. Some lawyers were of opinion that under that Act parties were punishable for joining in any form of worship except that authorised by, and laid down in, the Common Prayer Book. Lord Beaumont's Act merely repealed the part relating to education. He (Mr. Anstey) proposed not only to repeal the clauses affecting education, but those relating to recusancy at large. If any Roman Catholic took his seat in Parliament without first taking the oaths prescribed by the Catholic Emancipation Act, the ordinary penalties were quite sufficient without continuing the penalties on recusancy. By the 7th and 8th William III., cap. 24, lawyers were still required to take the oaths of abjuration, allegiance, and supremacy. Whilst all other classes of Her Majesty's subjects were exempted from taking these oaths, lawyers were still liable to take them under the penalty of *præmunire*. The 31st of George III. was not included in Lord Beaumont's Act, but it was partially included in the Religious Opinions Act, that is to say, so far as concerned the registration of masters and mistresses of schools, and the education of children of Protestants. He proposed to take away all the other penalties contained in that Act. He might be told that if these penalties were inoperative they need not be repealed, and that it was in the power of Roman Catholics to protect themselves by taking the oaths required by the 10th George IV. But why maintain them at all? Were they necessary securities to the Church of England? In reply to the hon. Baronet the Member for the University of Oxford, he would say that the hon. Baronet had a ready test of the expediency or inexpediency of repealing these penalties. Let him say whether men deserve to be prosecuted for worshipping in an unregistered chapel, or in their own houses, or in a church with a steeple and bells. Nor was this all: he (Mr. Anstey) had before him the copy of a petition presented to the last Parliament from the Cistercian monks of La Trappe, residing at their convent of Mount St. Bernard (Leicestershire). The petitioners stated that they had all violated the law, and therefore were all liable to be banished, or subject to the punishment of transportation if they refused to banish themselves, for worshipping God in the way they thought best. If the hon. Baronet thought the laws he (Mr. Anstey) proposed should be repealed were expedient, he had the best opportunity of putting them in force against these poor Cistercians of Leicestershire. Their petition, printed in the Votes of Parliament, would supply all the evidence required for their indictment and conviction. For information as to the pious character and blameless lives of these monks of St. Bernard, he could confidently refer the House to the hon. Gentlemen the Members for Leicestershire, whose votes, he feared, he could not rely upon. He would confidently ask those hon. Gentlemen to say if they had observed anything in the conduct of the monks to warrant a sentence of transportation. He would appeal to every Member in any way connected with the county of Limerick, and ask were they willing to expose the Christian Brothers of that county to the persecution of the informer? One of those hon. Members, whose vote would, in all probability, be against the Bill, would be the first to deplore the attempt to enforce the Act of 1829 against the Christian Brothers. With these few and scanty illustrations, the House would be able to judge of the magnitude of the measure, and the enormity of the grievances under which the Roman Catholic community laboured—grievances of a practical kind upon the clergy of that faith, and casting upon the laity an insupportable stigma. He asked for nothing beyond this. It was no longer

a question as to the admission of Roman Catholic noblemen into the other House, and Roman Catholic commoners inte this House. They had long ago recognised and satisfied those claims. They had received the Roman Catholic laity within the pale of their protection. Let the House place their clergy now upon that level to which they did not hesitate, in 1846, to raise the rabbis of the Jews. He implored the House not to deny them that small amount of protection. The last clause of the Religious Opinions Act placed the Jews, with respect to their schools, their places of worship, and their charitable institutions, under the same laws as the Protestant Dissenters. He asked no more for the Jesuits, the monks, and the Christian Brothers—he asked no more for the Roman Catholic clergy, still subjected to laws which had been repealed so far as they affected other portions of Her Majesty's subjects. He asked for Catholic equality in the eye of the law, not with all—though that was his right—not with the members of the Church of England, but with Protestant Dissenters and with Israelites.

Mr. NEWDEGATE thought that every hon. Member who had listened to the enunciation of the objects contemplated by this Bill, could not fail to be impressed with the fact that the Bill was a measure which ought not to be entrusted to the hands of a private Member of that House, however able and however zealous he might be, and which ought to have been introduced by the Government, if introduced at all. He would pass over those which were, after all, disputed points among gentlemen of the legal profession—the hon. Member for York and the hon. Member for Midhurst taking different views of the matter: he alluded to the inoperative or operative character of the Acts which it was proposed to repeal. He would dismiss those points with the single remark, that if the Acts were inoperative, why should there exist, in certain quarters, such intense anxiety to repeal them? If, on the contrary, they were not inoperative, but declaratory of the common law, then should he like to know whether Her Majesty's Ministers were prepared to repeal them, with the avowed purpose of altering the common law? It would be absurd to pass the Bill then before the House, and not alter the common law. He wished particularly to draw the attention of the House to one thing. The hon. Gentleman the Member for Youghal referred to the established jurisdiction of Rome in this kingdom; and the hon. Gentleman asserted that such jurisdiction had been acknowledged and established by the House of Lords in the Sussex case. He said, that the temporal as well as the spiritual authority of Rome was established in England by that decision—that the bishops of the Roman Catholic Church in Ireland were vested with additional powers as legates—that as legates they were liable to instant dismissal—had more power than ordinary bishops, but were more completely under the authority of the Pope. He also added, that the negotiations now in progress at Rome would place the Roman Catholic hierarchy in this country, whom he declared to have temporal as well as spiritual authority, in the same position as the Irish Roman Catholic bishops. What experience had the House of the conduct of the Roman Catholic prelates, who, according to the hon. Gentleman's own showing, were more immediately under the control of the See of Rome? [Mr. Anstey: I did not say that the Irish bishops were more completely under the control of the Pope than other prelates of the Roman Catholic Church.] The hon. Gentleman had just told him that the Roman Catholic bishops of Ireland were not so much under the authority of the See of Rome as the Catholic bishops of England were. He must, therefore, have mistaken the meaning of the hon. Gentleman's former observations; but he would ask the hon. Gentleman by what law or rule, then, were the Irish Roman Catholic hierarchy governed? Were not the Roman Catholic bishops of Ireland guided by the canon law of the Catholic Church? He (Mr. Newdegate) did not expect that the hon. Member would deny that they were. The House would recollect that, during the recess, a correspondence had taken place between the noble Lord the Member for Arundel (the Earl of Surrey) and one of the highest of the Irish Prelates, with respect to the denunciations from the altar, and their sad consequences, in which some statements were made public as to the light in which the Irish Roman bishops regarded their functions under the canon law. He had read with sincere pleasure the letter written by the noble Lord. He had been told, that he had no feelings in common with the noble Lord; but he would unhesitatingly say a letter more creditable to the high char-

acter and high position of the noble Lord was never penned. In his mind the tone of the noble Lord's letter was too humble —more humble than as a Protestant he should wish to see adopted by any man in addressing his fellow-creature. What reply did the noble Lord receive to this mild, humble, yet manly communication? The noble Lord received an answer from the Irish prelate, Archbishop M'Hale, in tone most condescending, but plainly telling him that he ought not to judge in such matters; that it was neither for him nor for England to judge of such matters; and that it was not for any but the authorities of the Roman Church to judge whether the conduct of the prelates or clergy of that Church was proper or not, or whether those denunciations of persons from the altar were proper or otherwise. And what authority did the Archbishop of Tuam quote in defence of these denunciations? Why, that of Gregory VII., who deposed Henry IV.; and the collects in commemoration of whom, which were appointed to be read on his festivals, had been suppressed in Roman Catholic countries, so subversive were they of all loyalty and order in their tendency. Such was the authority boldly quoted in support of his peculiar views by the Archbishop of Tuam. If evidence were needed to prove that the Roman Catholic Church claimed exemption from the dictates of temporal power, it was necessary only to refer, to the justification of those denunciations by the Archbishop of Tuam. The question then occurred, "Was the conduct of the Roman Catholic Church — was the conduct of the regular orders throughout Europe, such as to recommend their establishment in this country?" Could it be denied that it was the conduct of the Jesuits in Switzerland that had caused the late civil war in that country? No; for the fact had been alleged by the Diet, and admitted by the Ministers of this country, of Austria, and of France. And if any one hon. Member was sceptical on that point, let him consult the correspondence that had been laid upon the table of that House with respect to the affairs of Switzerland. Measures such as that before the House, tending to the establishment of the Roman Catholic Church, and the acknowledgment of the temporal as well as the spiritual authority of the See of Rome—improper as they no doubt were, when introduced by a private Member, had appeared under most significant circumstances —circumstances which when connected with the conduct of Her Majesty's Ministers at present, rendered it incumbent on the House to look narrowly into the manner in which a measure of this description was introduced. The presence of Lord Minto at Rome had excited great apprehension throughout this country; and questions had been put to the Government upon the nature of his authority and the character in which he appeared at Rome, and also as to the nature of the instructions he had received. It was natural that the country should be anxious to know what the Lord Privy Seal was doing at Rome. On the 10th of December last, the hon. Baronet the Member for the University of Oxford (Sir R. H. Inglis) questioned the noble Lord the Member for Tiverton (Lord Palmerston) upon the subject, and the reply given by the noble Lord was this:—

"It is well known that for some weeks past Lord Minto, who holds the office of Privy Seal, has been at Rome; but he is not there in any official capacity; he has no power and no instruction to negociate any convention whatever with the Court of Rome, to which court he is not in any way accredited. My hon. Friend will, therefore, see that the statement to which he alludes is entirely destitute of any foundation whatever. I need not say that so long as doubts can be entertained by any person as to the legality of diplomatic intercourse with the Court of Rome, Her Majesty's Government have too much respect for the law to do anything which could by possibility be considered as an infringement of it."

Nothing could be more explicit than that answer. The noble Lord then proceeded to advert to the word "communion," and to solve the question whether it should be read as applicable to diplomatic relations:—

"I believe it is known to those who have looked into the subject that the doubt arises chiefly upon the construction of the word 'communion,' the law being that the Crown is not allowed to hold any communion with the Court of Rome. A doubt exists whether that word 'communion,' should be strictly interpreted as applicable to religious communion, or whether it would apply to diplomatic intercourse. I am not called upon to go into that question of construction; in my own opinion it is pretty clear; but until Parliament shall settle that doubt, I can assure my hon. Friend and the House, that no step will be taken by Her Majesty's Government which can by possibility be impugned as contravening the law."

That answer was given on the 10th of December. But what was his (Mr. Newdegate's) surprise on readiug the despatches of Her Majesty's Government, to find that Lord Minto had actually received formal instructions to enter into negotiations with the See of Rome, dated the 22nd of October last, and signed by the noble Lord

himself, as Secretary for Foreign Affairs. He (Mr. Newdegate) would not make such an assertion without informing the House of what his authority for making it was. But before doing so, he begged to direct the attention of Her Majesty's Government to the reply given yesterday by the noble Lord to the hon. Member for Ashton-under-Line (Mr. Hindley), who asked if there would be any objection to lay on the table the correspondence that had passed between the Government and Lord Minto? The noble Lord (Lord Palmerston) replied, "that Lord Minto had not been invested with any diplomatic character. He had obtained credentials to the Courts of Sardinia, Florence, and Naples, but he had no political character. He certainly was not prepared, therefore, to lay on the table any of the correspondence that had taken place." [Sir G. Grey begged to set the hon. Gentleman right. What his noble Friend (Lord Palmerston) had said was, that Lord Minto was not accredited to Rome; that he had no diplomatic character at Rome.] That was the expression he meant to comment upon—that Lord Minto had no diplomatic character at Rome. But whether he had or not, the House might judge of the real nature of his mission by consulting the despatches between the Government and the noble Lord relative to Switzerland during his sojourn there. In a despatch dated Turin, Oct. 4, 1847, the noble Lord wrote—

"On my way through Switzerland, although not then in possession of any credentials or instructions (which reached me afterwards), I was induced to make a circuit by Berne, where I might have an opportunity of communicating, though unofficially, with the President of the Diet; and Mr. Peel having obligingly made known to him my wish for an interview, I the next morning called upon M. Ochsenbein, by whom I was most cordially received. After referring to the great importance we attach to the independence and integrity of the Swiss Confederation, and the uneasiness with which we viewed the unhappy divisions now prevailing, and rapidly tending to a state of civil war and foreign intervention, I said I hoped it was not yet too late to find some means of accommodation. He professed his great desire to avoid all recourse to violence, so that the great objects for which they contended could be peaceably attained; and this, he assured me, should be his most earnest endeavour. But there were, he said, some points which admitted of no compromise; that the dissolution of the Sonderbund must be effected, even should force be required for that purpose; adding, however, that he believed that there was in several of the States of that unconstitutional league an indisposition to maintain it; and that it might probably fall to pieces, or be induced to dissolve itself. I asked him if this did not in some degree turn upon the further question regarding the establishment of the Jesuits. He said, 'Yes; or rather, that every other question was involved in that of the Jesuits, and that the Jesuits once expelled, there would remain no object for the union of the Sonderbund, which would immediately be dissolved; and even in the Catholic States there was generally no great attachment to the order of Jesuits; but that by some the decree of the Diet was resented as an undue interference with their religious rights, and by others as a violation of cantonal independence.' On my pointing to the possible suppression of the Jesuits by Papal authority—'That,' he said, 'would be the most satisfactory solution of their difficulties, and would, except by a very small minority, be generally acquiesced in.' And in answer to my apprehensions of some violent resolution before there had been time for negotiation at Rome, he observed that no such precipitation was to be feared—that many of the deputies to the Diet had no instructions—that this alone would lead to delay, and must carry them well into November before any decision of the Diet could be obtained; and he added further the important assurance, that if any sufficient ground were shown to justify an expectation of the exercise of Papal authority for the expulsion of the Jesuits from Switzerland, he would prevent the recourse to any measures for enforcing the decrees of the Diet, or the adoption of any resolution on that subject. . . . . M. Ochsenbein's assurance, however, so explicitly given, may, I am satisfied, be relied upon, that anything like a fair prospect of the removal of the Jesuits would suffice to prevent the adoption of any measures calculated to endanger the peace of Switzerland; and the well-known opinions of Pius IX. may, I think, justify the hope of obtaining his intervention on this occasion."

And Lord Palmerston wrote thus to Lord Minto under date October 22nd, from the Foreign Office:—

"With reference to your Lordship's despatch of the 4th instant, reporting what passed between your Lordship and M. Ochsenbein on the affairs of Switzerland, I have to inform your Lordship that Her Majesty's Government entirely approve the judicious and discreet language held by you in your communication with that gentleman; and I have to instruct your Lordship, when at Rome, to endeavour to persuade the Roman Government to recall the Jesuits from Switzerland, or at least to take some decided step with regard to them which may be calculated to lay the ground for an avoidance of civil war in Switzerland. Your Lordship's own judgment—and the knowledge which, in your passage through Switzerland, you have acquired of the state of affairs in that country, and of the public feeling of the parties into which the Swiss nation is divided—will furnish you with better arguments on this subject than any which Her Majesty's Government can suggest; but, of course, your Lordship will not omit to press strongly upon the consideration of the Papal Government, that an ecclesiastical Power like that of Rome must above all things desire to prevent war, and to preserve peace among all mankind; and that in the present case the Pope has it in his power, by an exercise of his unquestionable authority, to remove at once a cause which threatens to involve a hitherto peaceful

and happy nation in all the miseries and crimes of civil conflict."

And yet the House had been assured by the noble Lord the Secretary for Foreign Affairs on the 10th December, that Lord Minto had no instructions to negotiate with, and that he was not accredited to, the Court of Rome. The House ought really to be allowed a deeper insight into the matter. He had been quoting from pages of the correspondence 188 and 189, despatch No. 139. No. 186 of the same despatches was a letter from Lord Minto to Lord Palmerston, dated at Rome, November 13, 1847:—

"I have to acknowledge the receipt of your Lordship's despatch of the 22nd of October, approving of the language held by me to M. Ochsenbein in my passage through Switzerland, and directing me to urge the Papal Government to take steps for the removal of the Jesuits from that country. I have already had some conversation upon that subject with the Cardinal Secretary of State, whom I found not altogether averse, to a certain extent, to the interposition of the Papal authority, if by such means a conflict might be prevented in Switzerland. If the question rested entirely on the establishment of the Jesuits in Lucerne, I think that the assistance of the Pope might be obtained for their removal; but I have not been able to state that any thing short of the expulsion of that society from every part of Switzerland would satisfy the demands of the Diet. This the Pope is not prepared to require, and he is unwilling to give gratuitous offence to the Catholic canton of Lucerne by a partial interference there, from which no benefit might accrue. His advice is all that he has yet given on that subject; and it has, I fear, been given to those who are unlikely to listen to any thing short of a command. If it be not too late, and Switzerland be not already the scene of war, I shall continue to press for the interposition of the Pope's authority, at least with regard to Lucerne."

He (Mr. Newdegate) could not help saying that it was at least most remarkable that the noble Lord the Secretary for Foreign Affairs, when in possession of the fact that he had commanded and instructed Lord Minto to negotiate with the Papal power, should, on the 10th December, have got up in that House and denied that the noble Lord was there in any official capacity. A quibble might be raised as to the using of any particular term which might have been used with respect to the formality of Lord Minto's instructions or credentials; but let hon. Members read those despatches and instructions, and they would see that, owing to Lord Minto's position as a Minister of this country, he was fully accredited as soon as he presented that letter of instructions at Rome. It roused his indignation to find, after all that he had just read, that a private Member of the House should bring in such a Bill as that before them, tending to the establishment of the Roman Catholic Church; and next, that a Member of the Administration should attempt to mislead the House with respect to the negotiations illegally carried on by a high officer, one of their own Colleagues, with the Court of Rome. ["Hear, hear!"] But the Bill was no light matter. He agreed with his hon. Friend (Mr. Walpole) that complaints of disabilities, which injured no one, and the prayers that facilities should be given for bestowing property for the purposes of charity, were put forth as an appeal *ad misericordiam* for the mere purpose of concealing the intention of establishing the Roman Catholic Church. Let them consider the conduct of the Roman Catholic Church in other countries. Was it not aggresive everywhere? The noble Lord the Earl of Arundel and Surrey said he would not give twopence for a Church that was not aggressive. [The Earl of ARUNDEL and SURREY: Aggressive against error.] Were they to tamper with national interests?—were they to give fresh powers for the establishment of a Church which declared them to be in error? He wished to know what "error" meant in the mouth of the noble Lord or any other sincere Roman Catholic? "Error" meant the Church of England. It meant the English constitution. Why, the Sovereign was not entitled to Her Throne except by adherence to what the Roman Catholic Church called "error." If that was an error, it was one which he trusted the country would long maintain. Who were the prime agents of the mischief in Switzerland? The Jesuits. What had led to the overthrow of the Jesuits of Lucerne? In 1844 they succeeded in getting a Franciscan monastery suppressed; and its revenues, buildings, establishments, at the suggestion of the Pope, were transferred to the care, the zeal, and the experience of the order of the Jesuits. It was no wonder the Pope was unwilling to remove the Jesuits from Switzerland, for it was the Pope who had planted them there himself. In a letter from Mr. Morier to Lord Aberdeen, dated at Berne, February 29, 1844, the discussions relating to the proposed submission of the national education to the authorised direction of the Jesuits were alluded to. Mr. Morier wrote—

"The question with respect to the admission of the Jesuits into the canton of Lucerne, as the authorised directors of the national education, came

on for discussion last week in the grand council, on the proposal of a law for reorganisation of the higher schools of the canton, made by the Commission whose appointment was alluded to in my despatch of January 31, to your Lordship. After a debate of two days the grand council adopted a resolution by which 'the council of education, under the direction of the executive council, is charged, in unison with the bishop, to negotiate with the Society of Jesus the groundwork of an agreement for delivering over to the latter the direction of the theological studies in the Lyceum and of the ecclesiastical seminary which it is proposed to establish at Lucerne;' one of the conditions being, 'that the Society shall submit to the constitution of the State in all its provisions, and especially to that article which attributes to the council of education, under the superintendence of the executive, the inspection and direction of the public education, as well as the duty of preliminary deliberation on everything which concerns the relations between the State and the Church.'"

And this offer, on account of the supervision insisted upon by the State, the Jesuits refused. Yet that was esteemed a triumph on the part of Rome, and a proof of its extended dominion, as might be seen by referring to another letter from Mr. Morier, dated November 25, 1844, in which he stated—

"The triumph of the Ultramontane party on this occasion is, with reason, generally considered as an important event for the Confederation, marking the steady growth of that powerful system of spiritual domination exercised by the Papal See, which but a few years ago the Swiss Radicals were treating with contempt, and thought to put down by abuse and violence. They have fallen into the same mistake with regard to the Roman population of Lucerne and the Valais, which the patrons of Strauss in Zurich made with respect to the Protestant population of that canton five years ago. They took no account of the religious feelings of the people; and the people in both cases resented the mistake by rising against them and driving them from power. That event was also accelerated by the issue of the late struggle in the Valais, which gave to the Ultramontane party there a decided preponderance, and with it proportionate encouragement to their associates in Lucerne to make the attempt which, according to present appearances, promises to be crowned with complete success. An act of the late Government of Lucerne furnished a convenient opportunity for taking the preliminary steps which led to the renewal of the negotiations with the Jesuits by the present rulers. Among other measures viewed as hostile to the interests of the Church, that Government had suppressed the Franciscan convent existing in tho town of Lucerne. The present Government, strenuously as they have contended for the unconditional restoration of the Argovian convents to their original use, did not think it necessary to do so in respect to this convent in their own territory. They chose a middle course—they applied to Rome, representing the inconvenience and difficulty of re-establishing the Franciscan monks, and humbly proposed, if the Pope would sanction the suppression of their convent—now a deed done—to devote its buildings and revenues to the erection of a school of theology and an ecclesiastical seminary. The Pope, at the same time that he signified through the Nuncio his consent to the proposal (perhaps originally suggested from Rome), expressed the great satisfaction it would give him 'if the direction of the seminary, both as to instruction and internal discipline, were confided to the zeal and intelligence of the Society of Jesus.'"

Against the will of the people the Jesuits were introduced—against the will of the people education was entrusted to their care. But the Government overlooked the strong religious feelings of the country; and what was the consequence? That Catholics united with Protestants to cast off the yoke that had been imposed upon them by the collusion of the Government with the Jesuits. And he (Mr. Newdegate) warned Her Majesty's Government not to trifle with the Protestant feelings of the English people. They might establish the Jesuits—that order which was styled by Rome her "most useful order;" but he told them the feelings of this country would rise up against them. The evil too would not pass away with a change of the Ministry, but would be likely to sow the seeds of disorder which would infect the whole body of society, and bear fruits as bitter as Switzerland had tasted. They should remember that those who had expelled the Jesuits from Switzerland were not all Protestants. The Catholic cantons of Soleure, of St. Gall, and of Tessin—the first entirely, the second nine-tenths, and the last two-thirds Catholic—had found the grievance so intolerable, the labours of the Jesuits so unprofitable for their religion, the spiritual yoke they imposed so grievous, that they joined the Protestants in effecting their expulsion. Did the noble Lord want more evidence? He referred him to a letter which had appeared in the newspapers, which was otherwise fully corroborated, stating that so intolerable was the oppression of the Jesuits, that the young men of Genoa had bound themselves not to marry any woman who had a Jesuit for a confessor, or whose parents held communion with that order; and he appealed to the noble Lord (the Earl of Arundel and Surrey) whether the conduct of these Roman Catholics might not have weight with him in inducing him to pause before he claimed the establishment in this country of an order by voting for this Bill. Were they to cast aside the whole history of the order for hundreds of years? The hon. Member for the University of Oxford had stated some striking facts bearing on this

point. He (Mr. Newdegate) had found that between the years 1555 and 1773 they had been thirty-seven times expelled from different States where they had established themselves. Since that year they had been again expelled from France, and during the last twelve months they had been expelled from Switzerland, so adverse were their doctrines and practice to liberty, to peace, to social order. And this reminded him of what had been said by the hon. Member for Youghal with regard to them. The hon. Member made a great appeal to the feeling of the House in favour of these orders of the Roman Church, and particularly in favour of the Christian Brothers. He (Mr. Newdegate) did not deny but that among the Jesuits there were many excellent men; but of this he was certain, that they were made the instruments of evil purposes—that they were made the instruments of a tyranny more galling than could be established by any except spiritual means. He held in his hand a list of the establishments of Friburg, as connected with and affiliated to the Jesuits, including the Christian Brothers, that had been suppressed, as returned by the authorities to the Diet. He (Mr. Newdegate) would, with the permission of the House, read an extract describing the number of suppressed establishments of the various orders :—

(Inclosure 2 in No. 198.)

"*Decree issued by the Government of Friburg, banishing the Jesuits.*

"Le Gouvernement Provisoire du Canton de Fribourg :—

"S'étant convaincu que la réunion du Canton de Fribourg à la ligne anti-nationale du Sonderbund était l'œuvre des Jésuites et de leur affiliés;

"S'appuyant sur la décision de la Diète du 3 Septembre, 1847, qui déclare l'Ordre des Jésuites en Suisse comme incompatible avec la paix et la tranquillité de la Suisse;

"Désirant donner aux autorités civiles la force nécessaire pour arriver a une pacification assurée du canton;

"En vertu des pouvoirs étendus qu'il a obtenus le 15 Septembre de la réunion du peuple;

"Ordonne :—

"1°. Les Jésuites, les corporations, les congrégations, et les affiliations pour l'instruction publique, sont pour toujours renvoyées du Canton de Fribourg.

"2°. La mesure ci dessus atteint—

a. Les Jésuites.
b. Les Ligoriens.
c. Les Frères de Marie (Ignorantins).
d. Les Frères de l'Ecole Chrétienne.
e. Les Sœurs de St. Joseph.
f. Les Sœurs de St. Vincent de Paul.
g. Les Sœurs du Sacré Cœur.

"3°. Les corporations et societés ci-dessus ne peuvent sous aucun prétexte être rétablis dans le canton, acquérir des propriétés ou former des établissemens particuliers de l'instruction publique.

"7°. Le décret ci-dessus est obligatoire du moment de sa promulgation, et il doit être publié et affiché comme de droit.

(Signé) "*Le Président,*
SCHALLER.
"*Le Chancelier,*
Deur. BERCHTOLD."

There never was a time, he thought, when the House was more bound to refrain from giving encouragement to Roman Catholic domination. Had the House, he would ask, noticed the tone and character of the reply of the Archbishop of Tuam to the Earl of Shrewsbury? What was Lord Shrewsbury's appeal, by which this reply had been elicited? His appeal was for the intervention of ecclesiastical power with ecclesiastics, as preferable to any other mode of dealing with them; and yet for this there was poured forth upon the noble Lord such a torrent of abuse, of vituperation, and of base insinuation, from that arrogant ecclesiastic, in answer to his respectful and patriotic appeal, as could scarcely have been excelled. Were the noblest of this country to be treated in that manner by those haughty prelates whenever they attempted to serve their country? He would ask the Protestant patriots of England, when this was the manner in which those prelates behaved towards their friends, what was likely to be their pity and compassion for their enemies, or of those whom they considered to be their enemies — those whom they looked upon as the slaves of error, without a hope as to eternity, perverted and misguided in this world? He asked whether, looking to the history of Europe in the present day, considering the manner in which the measure had been introduced to the House, and considering the very ambiguous position of Her Majesty's Government with respect to their conduct in instructing one of their own body to negotiate with the Court of Rome contrary to law; taking all these considerations into account, he asked, was there ever a time when the House of Commons was more imperatively called upon to vindicate its independence, and to perform its duty to the country, than it now was? He would not further trouble the House, but he could not allow the debate to pass over without referring to those general circumstances. It was all very well to discuss nice legal distinctions—to set the opinion of one legal Gentleman against another with reference to Acts

which, whether operative or not, were at all events not now oppressive. It would scarcely be said that the Roman Catholics suffered oppression, while they displayed that boasted increase which the hon. Member for Youghal had exhibited to the House; and were these grievances, which the hon. Member said might happen, but which never do happen — were they to be taken as the grounds for the establishment of the permanent, the oppressive, the foreign Power of the See of Rome within these realms ?

Sir GEORGE GREY: The present debate is so much in the nature of an adjourned debate on the second reading of the Bill, that, having troubled the House with a statement of my views upon it on the second reading two months ago, and having then explained how far I agreed in the principle of the Bill, I feel it to be quite unnecessary to detain the House on the present occasion with a repetition of what I then took the liberty of addressing to it. I will only say, that I think one of the arguments of the hon. Gentleman who has just addressed the House in opposition to the Bill, ought to be altogether disregarded. He says that the Bill ought not to pass, because Archbishop M'Hale has used violent and intemperate language, and has set up extravagant ecclesiastical pretensions; and that he is unwilling that the Protestants of England should be handed over to such parties, and that this is therefore not the time when additional privileges ought to be given to Roman Catholics. I say, if that argument is to be taken into account, let us take the letter of Lord Shrewsbury, and the letter of my noble Friend behind me (the Earl of Arundel and Surrey) into consideration on the other side. If the arguments to be drawn from Archbishop M'Hale's sentiments and speeches are to prevail in this House, I have an equal right to draw attention to the letters of Lord Shrewsbury, and of my noble Friend which almost every one has commended, as showing that this is a period when we may trust Roman Catholics with powers which they never before possessed. [*Cheers.*] But I do not use this as an argument. I think that the ephemeral productions of the day or the passing controversies of our time ought not to influence us in our decisions here; but after the cheers with which that part of the hon. Gentleman's speech was received on the opposite side of the House, I thought it should not altogether be passed over without notice. I rose principally in consequence of the reference which the hon. Gentleman made to a subject which, I must say, has very little to do with the question before the House. I allude to the remarks of the hon. Gentleman with regard to the correspondence that has been laid on the table of the House on the subject of the affairs of Switzerland. I understood the hon. Gentleman to say that this is not a period when a Bill should be allowed to pass the House, because my noble Friend the Secretary of State for Foreign Affairs made a statement in December last which he thinks has not been borne out by the contents of the papers laid before the House, relating to the communications of Lord Minto with the Court of Rome. The hon. Member says that my noble Friend declared to the House that Lord Minto was not accredited to the Court of Rome by Her Majesty's Government; whereas, by the papers laid before the House, he found that Lord Minto was instructed to communicate with the Papal Government. The hon. Gentleman read a letter from my noble Friend to Lord Minto, conveying to him these instructions —if instructions be the term to apply to them. That letter was addressed by my noble Friend to Lord Minto, not for the purpose of accrediting him to the Court of Rome; but, as he had been in communication with the President of the Diet of Switzerland, with respect to the causes which led to a continuation of the disorders and disunion among the cantons of Switzerland, and as he was about to proceed to Rome, Lord Minto was instructed to take an opportunity of personally communicating on the subject with the members of the Papal Government, in order to remove the cause of those disorders. The hon. Gentleman supposes that it is an offence at common law for a Member of the British Cabinet to hold a conversation with a Papal Secretary of State. The hon. Gentleman's argument might hold good if Lord Minto had been instructed to do what he could not have done without specific instructions—formally to represent to the Papal Government the opinions of the British Government on the political state of Switzerland. But what does Lord Minto say ? After describing the interview with M. Ochsenbein, as given in his despatch, No. 134, in which he mentions expressly that he had not then received credentials or instructions from my noble Friend the Secretary of State for Foreign Affairs on

the subject of his mission, he proceeds in the despatch, No. 135, written from Turin, to say—

"I had a few days ago a good deal of conversation on Swiss affairs with M. Corboli Bussi, who, as Mr. Abercromby has already informed your Lordship, is here on a mission from Rome, and through whom I thought it might be useful that I should convey to the Pope our hope of his good offices towards the pacification of Switzerland, by the recall of the Jesuits from that country. I told him that the question of peace or war in the Confederation was probably in the hands of his Holiness, and that I therefore trusted he would not allow any light considerations to stand in the way of his intervention. That at Rome, as elsewhere, I was sure that it must be felt that this was not a moment in which any interruption of peace could be seen without uneasiness; and that civil war and foreign intervention in Switzerland, with all their consequences, might possibly extend their influence beyond the Alps."

It is clear from this letter that Lord Minto did not consider any formal or specific instructions necessary to authorise him to hold such communications. This took place in a private and unofficial way between Lord Minto and the representative of the Pope, at Turin: and in the same way Lord Minto was requested, when at Rome, to converse with any members of the Papal Government he might meet there, and impress upon them the views of the British Goverment with regard to Swiss affairs. I do not understand the hon. Gentleman to object to these views. Lord Minto was instructed

—"not to omit to press strongly upon the consideration of the Papal Government that an ecclesiastical power like that of Rome must above all things desire to prevent war, and to preserve peace among all mankind; and that in the present case the Pope has it in his power, by an exercise of his unquestionable authority, to remove at once a cause which threatens to involve a hitherto peaceful and happy nation in all the miseries and crimes of civil conflict.

In reference to this subject, Lord Minto writes in reply.

"I have already had some conversation upon that subject with the Cardinal Secretary of State, whom I found not altogether averse, to a certain extent, to the interposition of the Papal authority, if by such means a conflict might be prevented in Switzerland."

The construction that the hon. Gentleman places on the law, that no British subject, that no Member of the British Government, is to converse on political subjects with a Cardinal Secretary of the See of Rome, even when such conversation tends to promote the peace of Europe, is manifestly unfounded and extravagant. The hon. Gentleman says, my noble Friend attempted to deceive the House, but he has himself given sufficient grounds for disproving the charge by actually reading from the correspondence laid upon the table by my noble Friend, a full and unreserved statement of what Lord Minto had been directed to do. [Mr. NEWDEGATE begged to explain. On the 10th of December Lord Palmerston distinctly stated to the House that Lord Minto had no instructions to treat with the Court of Rome, whereas he found now, by the papers submitted to the House, that long previously to the 10th of December the noble Lord had, in his own words, given such instructions to Lord Minto.] The hon. Gentleman quotes the word "instructions," as used by my noble Friend on the 10th of December. My memory is certainly not so correct as to enable me at this distance of time to remember the precise term used; but I think what my noble Friend said, in answer to the hon. Baronet the Member for Oxford (Sir R. H. Inglis), was, that Lord Minto was not accredited to the Court of Rome—that he had no "instructions" in the ordinary sense of the term when applied to a person accredited to a foreign Court—implying that Lord Minto was not an ambassador at the Court of Rome, and had no credentials to show that he was empowered to act as an ambassador from the British Government. That was the extent and purport of the answer of my noble Friend, as I understood it. In using the word "instruction" in the despatch referred to, my noble Friend must have meant it as a direction to communicate the views of the Government unofficially, to the Members of the Papal Government; and I cannot but think it is something like a quibble to attempt to fix a charge—I will not say of duplicity, but—of an intention to deceive the House, upon my noble Friend, for using the word in the two different senses to which I have adverted. But I repeat what I was saying when the hon. Gentleman interrupted me, that the evidence on which he founds his charge has been furnished by my noble Friend himself, so that if my noble Friend intended to deceive the House, he has defeated his object by laying on the table of the House the actual instructions and conversations that have passed. I must say, therefore, that I do not think it is likely that the House will concur in the view which the hon. Gentlemman supposes he has made out, or will be disposed to censure the

British Government for holding communications with the Court of Rome, through the medium of Lord Minto during his visit to Rome, when the object was to induce the Papal Government, by friendly representations, to take that course which is best calculated to "to prevent war, and to preserve peace among all mankind," by removing a cause "which threatens to involve a hitherto peaceful and happy nation in all the miseries and crimes of civil conflict." If the hon. Gentleman had ever been in office, he would not be so sensitive on the subject, for he would have known that friendly and private conversation of this kind must have frequently taken place, and that in fact it would be impossible to carry on the affairs of a country like this without those communications with the Roman Government to which he objects; and that Lord Minto has done nothing more in this instance than has been done many times before by influential persons visiting Rome. No one ever thought that in doing so the law was infringed; and I believe that Her Majesty's Government will be held equally free in this respect from the reproach which the hon. Gentleman has attempted to cast upon them.

Colonel CONOLLY should object to any disturbance of the arrangement which had been come to at the time of the passing of Catholic Emancipation, and which had then met the demands and views of the Roman Catholics themselves. He could not allow obsolete Acts of Parliament to be raked up into a grievance, for the purpose of removing securities that had been assented to by the Roman Catholics themselves at the time of Emancipation; and he also objected to the measure because it would tend to endanger the public peace, by disturbing the public mind at this moment. He should vote against the further progress of the Bill, not from animosity or antipathy towards his Roman Catholic fellow-subjects, but from a clear conviction of the necessity for preserving the safeguards of Protestant security.

Mr. GLADSTONE: Sir, I feel the force, upon general grounds, of those references which have been made to the aggressive and very active character of the Roman Catholic Church; but at the same time I feel still more the force of that sentiment which I think commends itself to our calm reflection, that if there be upon the Statute-book at this moment in legal, although not in practical existence, penalties attaching, or capable of attaching, to Roman Catholics for doing acts not proved to be hostile to our civil interests, and which belong to the religion they profess, I think, if that be so, we are bound to go into Committee. It is with great satisfaction I have just seen the hon. and learned Gentleman the Attorney General resume his place, because I think the House is placed in considerable difficulty with regard to the legal elements of the question upon which so much of the merits of the case really and substantially depend. It will be in the recollection of the House that there are two distinct and opposite views taken of the whole of the former part of the Bill, both propounded by legal authority—upon the one hand by the advocates of the Bill, and upon the other by its opponents; and I am sure the Attorney General will confer upon us very great service if he will interfere as umpire or as arbitrator, or at least as an impartial and of course weighty authority in the case, and will give us the view he entertains with regard to the legal position of the ancient statutes that are recited in the earlier portions of this Bill. My hon. and learned Friend the Member for Midhurst (Mr. Walpole) contended the other day, and my hon. and learned Friend the Member for the University of Cambridge contends to-day, that the Act of the 1st of Elizabeth (I think he did not argue the case of the other Acts in detail) and the other ancient statutes mentioned in this Bill, have been repealed as far as respects penalties. Both those hon. and learned Gentlemen held that opinion, in terms, I think, the most unqualified. But the Mover of the Bill, himself a lawyer, distinctly demurs to that doctrine. With regard to the Act 1st Elizabeth, he tells us it is perfectly true that the specific penalties which were formerly provided by that Act, as applicable to any infringement of the doctrine of the Royal supremacy, have been removed; but he contends that statutory penalties still remain. He contends that the force of the statutory prohibitions are still a portion of the law, and that such being the case, the courts of justice will provide penalties for the offence of any infringement of an Act of Parliament. Then he very naturally proceeds—I mean in his own sense, of course, for it would be presumptous in me to offer any opinions upon the validity of his doctrines—to make a case which is at least worthy of investigation; for he says that his Bill will remove all statutory

penalties. He contends that the common law, if it were not for the addition of this statute, or if it were removed, would not make punishable any act which Roman Catholics are bound to do, or any opinion they are bound to hold. If this be the case, is it enough to say, that these penalties have never been enforced? Are we not bound rather, by the spirit of Lord Lyndhurst's Act, to go somewhat further? If it be true that the Act of Lord Lyndhurst, while it abolished specific penalties, has left others still remaining, are we not bound to remove those penalties attaching to the assertion of the Papal supremacy which every Roman Catholic is bound to acknowledge? Then as regards the Act relating to bulls, I confess I was in error according to the statements of the hon. and learned Gentleman upon a former occasion. I then laboured under the same difficulty as that which we are feeling now, namely, the want of guidance and authority upon the question. But if it be true that it is at this moment penal to introduce into this country any bull whatever from the See of Rome, I do not think it is consistent with fairness and justice, nor consistent with common sense, that such a state of the law should be allowed to continue. Why, it is notorious to all men that the intervention of the Pope in British affairs has been sought and obtained upon particular occasions by the British Government. I do not know what the precise name of the instrument by which that intervention of the Pope has been conveyed into Ireland may be; I do not know whether it were what is called a bull, or rescript, or anything else; but I don't think it is right that while we ourselves occasionally invoke the aid of the Pope for the conduct of our civil affairs, we should have a law upon our Statute-book which makes it penal to introduce into this country, not only those bulls which were properly prohibited, and which were an offence at the time of the Reformation, but those which, innocent of all offence, are directly and exclusively connected with Roman Catholic discipline and worship. It appears to me, therefore, it is not quite true to say that the sole object of this Bill is the modification of the Act of 1829. It may be true that that is the most important portion of the enactments the hon. and learned Gentleman has embodied in his Bill; but I think we are not obliged to impute to him the somewhat unworthy motive of seeking, in effect, exclusively a modification of the Act of 1829, and of having introduced into this Bill a long string of Acts of Parliament by way of blind and cover for his real object. But if we come to the Act of 1829, I shall assume there we are not prepared to be guided exclusively by the prescriptive title of that Act—that we ought not to argue absolutely upon its nature as a compact, because compact is a doctrine that, in practice, is liable to great modifications as available against all reasoning in the case. I will only refer to the most important part of the Bill which touches the Act of 1829, namely, that which relates to the religious orders. We must all feel, without consideration, that in reference to the exclusion of the religious orders the onus of proof lies with those who maintain the demand for their exclusion. Whether it be true that the Act of 1829 was a compact or not—whether it be true that that exclusion of religious orders was looked upon as one of the securities to the Protestant Church or not—I think we must feel we are bound to show, while insisting upon that security, that it has a real value to us, when it is alleged upon the other hand that it inflicts a real burden and grievance upon our Roman Catholic fellow-subjects. I ask, then, has that security a real value to us, or has the burden of proof which is upon us—has the obligation to show a case against the religious orders universally—been properly and adequately discharged in this debate? Why, Sir, not one word has been said in the course of this debate, or during the former discussion, that I have heard, excepting against the Jesuits. I omit for the present their case; but supposing all to be true that has been said against them, and supposing it to be doubtful (and I admit I think it is doubtful) whether you ought to alter the law against the Jesuits, is it just to inflict a legal stigma upon the Benedictines, the Franciscans, the Dominicans, and upon all the other regular clergy of the Roman Catholic Church, because a particular order of the Roman Catholics may be regarded as holding principles which are not, I think, very consistent with the obligations of civil obedience? If that be the case, I really think hon. Gentlemen who maintain that opinion must feel they are bound to show something, not against the Jesuits only, but against religious orders in general. There may have been a time when the name of a religious order might be taken as indicating a close connexion between that religious order and the See of

Rome. I suppose it to be admitted as a fact, that those religious orders—at least at the time of the thirteenth century—were generally founded with a view to the augmentation and consolidation of the power of the See of Rome; but whatever was their original intention, it does not follow that at this moment the Franciscan or the Dominician stands in a closer relation to the Pope, or in any respect is likely to hold opinions which render him in any degree more dangerous to civil order, than the secular priest or layman of the Church of Rome. Great changes took place in the course of generations with regard to the position of these orders. I admit the Jesuits held for themselves a special position in the See of Rome. My learned Friend the Member for the University of Cambridge (Mr. Law) paid me a compliment which I am by no means anxious to appropriate to myself, when he said I had drawn an ingenious distinction between the Jesuits and the other religious orders of the Roman Catholic Church. That distinction has not been drawn by me, but by the history of the world. The history of the Jesuits, the place they have filled in the history of the world for the last three centuries, has no parallel in the history of any other religious order. The transactions in France particularly, during nearly the whole of the last century, with regard to the Jesuits cannot be matched. Not only can they not be matched, but there will not be found the remotest analogy to them in the history of any other religious order, in any age or in any country in the world. It is not for me to say what is the precise course it may be proper to take with regard to the Jesuits in our own country—whether you may think it worth while to draw a distinction between them and other religious orders, or whether you will not—it is enough for me at present, I think, with a view to your leaving the chair, Sir, to stand upon this proposition, that the burden of proof lies with those who contend for retaining upon the Statute-book provisions for the extinction of the religious orders, that no *primâ facie* case, however slender, has been shown in this debate, or in the former debate upon this Bill, against the religious orders whatever, except against the order of Jesuits; and therefore, at all events, with a view to those religious orders, other than Jesuits, you are bound to enter into Committee upon this Bill, with the view of affording them such relief as you may think proper. I shall not refer to the other particulars in which this Bill proposes to interfere with the Act of 1829; but I have been surprised, I must own, at the nature of the argument maintained by my hon. Friend the Member for Warwickshire (Mr. Newdegate) and other Gentlemen in opposing this Bill, when they refer to these exclusions as constituting the securities of the Act of 1829. I have been surprised to see the total absence, upon their part, of any attempt to show that any value attaches to those securities. It is not evident at once—to my mind at least—what connexion there is, not between the real extinction of the religious orders—for that is not the question—but between the existence of that clause in the Act of 1829, which inflicts a stigma upon religious orders, and does nothing else whatever, and a stigma upon a particular portion of the Roman Catholic Church, and the securities of the Established Church and the other institutions of this country. I do not absolutely deny that my hon. Friend and others may have seen such connexion, because I presume they have; but I would put it to them that they ought to endeavour to make that connexion evident to us; that it is not enough to say simply, "This was enacted in 1829, therefore, whether it be just or unjust—whether there was a necessity for it or not—and whether the necessity, if there was one, still continues, I do not know; but I will adhere to it as part and parcel of the Act of 1829." A dry argument from the letter of an Act of Parliament ought not to be urged upon one side of a case against a real and practical grievance, such as undoubtedly exists, unless we can show positive cause for the exclusion of these religious orders. There is one other point to which much reference has been made in this debate, and which I think has excited a great degree of interest, and which, though not altogether unconnected with, may eventually have a very direct connexion with a portion of the subject-matter of this Bill. It has been stated before, and repeated to-day, that it is the intention of the Pope to erect archbishoprics and bishoprics in England, for the first time since the Reformation. The hon. and learned Gentleman the Member for Youghal informed us that the reports upon that subject were premature—that no decision had been come to by the See of Rome upon that question—that it had received great consideration, and was found to be encompassed with many difficulties.

I confess I received with great satisfaction the assurance that no such decision had been arrived at by the See of Rome; and I trust the question will undergo much more consideration before the course which has been announced shall be adopted by the Pope. I cannot think it is enough to say upon this subject, that the Pope might appoint an archbishop — of Westminster, for example — in the same sense as the Wesleyan body appoints superintendents of its circuits. When the Wesleyan body appoints a superintendent of a circuit, it is perfectly well understood that neither civilly nor spiritually does the Wesleyan body, by its act, make any assertion whatever of the obligations of all persons within those circuits to conform themselves to its rules and principles, and to render obedience to those superintendents. With regard to the establishment of archbishoprics and bishoprics by the Papal authority in this country, I apprehend it to be quite unquestioned that the establishment of an archbishopric of Westminster, or any other place, is a most distinct and formal assertion upon the part of the Church of Rome of the obligation of all persons residing within the limits of that district, whatever it may be, to pay spiritual obedience and own spiritual allegiance to the See of Rome. That, in the mind of some Gentlemen, may not appear to be very objectionable. To me, I confess, it does appear open to objection. I think it establishes somewhat of a false and unnatural relation between the Papal Court and ourselves—between the Pope as a temporal Power and the British Government. I do think it is calculated to bring both into a false position, particularly now that we are attempting to establish diplomatic relations with the See of Rome. But the hon. and learned Gentleman placed this measure entirely upon the ground of considerations of utility. He said the change from the character of vicars-apostolic to that of diocesans was for the purposes of utility—that it was found necessary and thought desirable to give more of a permanent and independent position to the bishops than they could have as mere vicars-general. But I apprehend I am right in saying that, though not prepared to quote an instance that there is no necessity upon that account to establish local archbishopries or bishopries, there have been mixed jurisdictions in various places, and that there would be no difficulty, nay, it in point of fact might be politic, for the Church of Rome to establish jurisdictions which shall be permanent, and which shall not advance, nor have the power to advance, a claim to temporal jurisdiction. I think, as to the claim of temporal jurisdiction over all persons, if it be intended, the resolution so intending was neither a wise resolution on the part of the Court of Rome with regard to the present state of the public mind, nor with regard to any state that the public mind is likely to be in for generations to come. Trusting that that may be the case, I would point out (and it is in connexion with this Bill), that the Act of 1829, in the 28th Clause, refers to this question of the assumption of the titles of British bishopries by Roman Catholic prelates. I apprehend that not only the assumption of the title of any existing bishopric, but the assumption of a title where there is not now a bishopric, but where there may be at some future time, constitutes an offence under this clause. That is to say, if the Pope chooses to establish an archbishopric in Westminster or any other place, out of deference to the law he may not assert his spiritual supremacy; but he may be in this painful position, that if at any time it may please Her Majesty or the Legislature to sanction the erection of a bishopric of Westminster or any other place, the Act of George IV., I apprehend, renders penal the assumption of such titles in any case where the establishment of a Roman Catholic archbishopric or bishopric interferes with an established bishopric of the Church, or one intended to be established. The clause stands thus—

> "Any person, other than the person thereunto authorised by law, who shall assume the name, style, or title of archbishop of any province, bishop of any bishopric, or dean of any deanery in England or Ireland, shall, for every offence, forfeit 100*l*."

I am perfectly aware, of course, that there is an alleged parallelism between this case and that of Ireland; and that in the case of Ireland, certain prelates of the Roman Catholic Church have assumed and borne titles of the dioceses of the established Church without legal notice being taken of their acts. Without raising the question whether such notice should be taken, I cannot think the case of Ireland is parallel, from some essential considerations. In the case of Ireland, diocesan bishops have been established since the reign of Elizabeth. We know they claim succession to the ancient sees of that country, and we must feel their assumption of titles,

which they considered to have descended to them traditionally, as very different from setting up new claims in England at this time—in a country where they form an extremely small fraction of the population, and where the claim to new titles, we think, belongs with so much more propriety to the prelates of the National Church. With regard to the Bill itself and its direct enactments, I trust hon. Gentlemen will put some check upon themselves, natural and honourable as their feelings must be, and seriously ask themselves, not whether the Church of Rome is an aggressive Church—not whether upon general grounds there are not great reasons for apprehension at her spiritual claims and ecclesiastical proceedings, but whether in the law as it stands there is a case which in equity and in deed may be made a case of grievance—that, in the feelings and minds of honourable Gentlemen, may appear to imply something of disgrace? If that be so, they will not allow themselves to be diverted by considerations—which, however important, are scarcely relevant to this matter—from doing that justice which their fellow-subjects and fellow-citizens have a right to demand, and which, they may depend upon it, it is as much their interest as their duty to concede.

The Marquess of GRANBY said: Sir, I am anxious to state the grounds on which I feel myself compelled to give my decided opposition to this measure. With regard to the first part of the Bill, I think it has been generally admitted, by its advocates, that it is not so much upon the repeal of statutes that are admitted to be obsolete that they rest their case. I must be allowed to say that I do not think, if all those penalties are removed from our Roman Catholic fellow-subjects with regard to the statutes we propose to repeal, that this in a Protestant country is any reason why the statutes themselves should be repealed. With regard to the second part of the question, whether or not we should retain the safeguards which accompanied the measure of 1829, I think it would be most unwise now to unsettle them. I agree with my hon. and learned Friend the Member for Midhurst (Mr. Walpole), that, unless some great and practical grievance can be shown for the re-opening of this great question, that the House will not sanction any such disturbance of the settlement of 1829. Sir, I have heard no practical grievance stated in the course of this debate. It is true that the hon. and learned Gentleman who brought in this Bill stated that there was one practical grievance to be found in Leicestershire, in which county is established the monastery of Mount St. Bernard; and that the monks of that establishment complain that they are liable to be transported from this country because they form a monastic institution. But, Sir, I have inquired of those who I think ought to know something of the law of this question, and I am told that if the monks will register their names according to the laws of this country, and if they remain, as I am anxious to bear my testimony that they now are, the quiet, peaceable, and loyal subjects of Her Majesty, that they will not be liable to transportation. That is an answer, I think, to the practical grievance of the hon. Member of Youghal, and an answer, I think also, to the speech of the hon. Member for the University of Oxford (Mr. Gladstone). I confess I have been much surprised at the elaborate arguments we heard in favour of allowing the Jesuits to remain in this country without registering their names, and without any precautions being taken against their machinations. Do those who advocate their admission remember that even in Roman Catholic countries these turbulent priests are excluded? In France, in Sicily, and in other Roman Catholic countries, the Government has been obliged to expel the Jesuits, and yet it is now proposed to admit them into this country without the safeguards of the Bill of 1829. Although no practical grievance has been shown, I think there is, on the other hand, great danger in admitting these bodies of men into a Protestant country without any safeguards whatever. I deprecate the agitation of these religious questions without sufficient and substantial grounds. I deprecate bringing this controversy before the House, because I think, by so doing, we run into great danger of creating ill feeling, of exciting injurious agitation, and of impeding the course of that Christian charity which I wish to see prevail in this country. I am sorry to be obliged to refer to the speech of the hon. Member for West Surrey (Mr. Drummond), who, without any practical grievance being made out, has so unaccountably come to the conclusion to abandon those safeguards for which he voted in 1829. I trust the sentiments now expressed by the hon. Member are not in accordance with those of the majority of this House. I hope that not one word which

has fallen from me will be taken in an offensive sense by my Roman Catholic fellow-subjects; and I rejoice that the feeling of the House is unanimously in favour of toleration. But while I rejoice that that great principle obtains, and is likely to remain in this House, I think it will be most wise, considering the aggressive nature of the Roman Catholic Church, that we should take great care not to allow our toleration to be transferred into encouragement. We are bound by every law of religion and justice not to give encouragement to a persuasion which we believe to be in error; and when I say we believe the Roman Catholic Church to be in error, I do so with the greater confidence, because I know that I have with me the Protestant character stamped upon our laws, our institutions, and our country. In conclusion, Sir, allow me to express the deep regret I feel that the other hon. Member for the University of Cambridge has been prevented from giving us on this occasion the able assistance of his talents and learning by indisposition.

Mr. SHEIL: Although I might reasonably contend that the old opponents of Catholic Emancipation (the hon. Baronet the Member for Oxford, for example, who with such bland intolerance resisted that great enactment as he has during his life resisted improvement in every form) are not entitled to insist upon any contract to which they were no parties; yet I will not only not deny, but, upon the contrary, I will most frankly aud fully acknowledge, that inasmuch as concession to the Catholic was accompanied by security to the Protestant, both security to the one, and concession to the other, ought to remain undisturbed. I will argue the case upon that admission, and acknowledge that any clause in the Act of Emancipation which can be reasonably regarded as affording the slightest safeguard to the Protestant religion, or to the Protestant Church, ought to remain inviolate. But, if there are other clauses in that Act which are galling to the Catholic, and are of no sort of use to the Protestant, those clauses ought to be submitted to the consideration of the Committee on this Bill, with a view to their modification, or to their repeal. Of this character are the clauses which make an initiation into the mysteries of Jesuitism, or of any other religious order, a transportable offence. The clauses to which I am referring ought not to be regarded as the bulwarks of the Protestant religion. Where there is no danger no security is required. Danger there is none. What greater mischief can Franciscans, and Dominicans, and Carmelites, and Augustines do than the sturdy secular priesthood of Ireland? The Irish friars have taken little or no part in Irish agitation. As the law now stands, Father Mathew is liable to transportation. The Jesuits! Oh, the Jesuits! By the very utterance of the word the phantoms of Father Paysons, and Father Garrnett, and Father Petre, are evoked. Now the case I make with regard to the Jesuits is this—I will not endeavour to overcome your prejudices; I won't tell you that you are influenced by a vague, an indefinite, and irrational prejudice; I will not tell you that the enemies of the Jesuits were the enemies of Christianity, and that the conspirators against religion conceived that for the achievement of their purpose the suppression of the Jesuits was required; I will not tell you that the Jesuits are men of refined education, accomplished manners, and unspotted morals; I will not tell you that your own missionaries will bear no comparison with the followers of Loyola, and that the Jesuit in the wilderness, lifting up the cross, his only possession in this world, to the eyes of the red men, who stood awed and humanised before him, offered a far nobler spectacle than the New Zealand emissaries of Protestantism, by whom, with a lucrative piety, the tasks of conversion and the enjoyments of appropriation are combined; I will not tell you this, but I will tell you that the enactments against the Jesuits are utterly incapable of enforcement; that they are worse than worthless; and, as a security to Protestantism, in every regard more than without avail. In England and in Ireland there are plenty of Jesuits; the country is full of them. There is a great Jesuit college in the north of England; there is another in the vicinity ef Dublin; the Jesuits are building a third in this great metropolis; yet the Attorney General, if he were to institute a prosecution founded on the Statute of 1829, would be driven with shouts of derision out of court. Suppose that my hon. Friend were to prosecute Father Ligo, the head of the order in this country, I should take care to attend the Queen's Bench if it were but to mark the smile of polished disdain with which that eminent ecclesiastic would hear the speech of my hon. and learned Friend. Wherefore, then, should you retain upon the Statute-book those laws by which the impuissance of fanaticism is made mani-

fest? But it may be asked why laws should be repealed which work no practical grievance? The answer is obvious: those laws are of no use to the Protestant, and they are an affront to the Catholic, in the infliction of which it is most impolitic to persevere. Let me also add, that by going into Committee you may have the opportunity of substituting effectual regulations for the absurd penalties whose own extravagance counteracts the purposes for which they were designed. But, Sir, strongly as I have expressed myself in reference to the laws against religious orders, there is another enactment in the Statute of 1829 which is, if possible, still more preposterous and unjust—I allude to the clause by which Catholics are excluded from the Chancellorship of Ireland. The House should go into Committee, in order to afford an opportunity of considering how far the retention of that law is in the slightest degree a security to the Established Church. I am convinced that the clause in question was introduced under a misconception. I find a clear proof of it in the speech of the right hon. Member for Tamworth, delivered by him when the Act of Emancipation was introduced; he stated distinctly that his motive for excluding Catholics from the Chancellorship of Ireland was the fact that Church patronage was connected with the office. This statement was clearly made under the impression that the Lord Chancellor of Ireland was in the enjoyment of ecclesiastical patronage. The truth is, that he has none whatsoever. What an absurdity then it is to admit a Catholic to the office of Chief Justice, who is not removable by the Crown, and who, upon great political trials, has such great power, and to shut Catholics out of the Chancellorship, to which in Ireland very little political influence is incidental, and who holds his office at the pleasure of the Crown. To the whole Catholic people this is an offence, and to the Catholic bar it is a most signal wrong. Last term there were nine Catholics and three Protestants called to the bar, and yet no Catholic can attain the highest prize in his profession. There has recently been a loud cry in Ireland against the nomination of an English barrister to the Chancellorship of Ireland; and until Irish barristers are made Judges in this country, the sentiment to which that cry gave expression is most just. But what can be more preposterous than Irish exclusiveness and Catholic exclusion? The only object of that exclusion is to maintain a wretched remnant of ascendancy, and to offer a wanton and profitless offence to the feelings of the majority of the Irish people. It operates as a memorial of the penal code; it is the mark which the manacle has left behind.

Mr. HENLEY thought the most important and most objectionable portion of the Bill was that which sanctioned the introduction of Roman Catholic religious orders into this country. He had heard a great deal of indignation expressed at the possibility of transporting a "Christian Brother;" but he denied that a "Christian Brother" was liable to be transported for simply exercising his calling in England. It was true that a penalty was imposed; and if any one refused to pay the penalty he was subject to banishment, and if he did not submit to banishment he was liable to be transported. That, however, was a very different thing from transporting him because he was a "Christian Brother;" he was transported because he would not obey the law of the land; and it seemed to him to be but part and parcel of the same Jesuitism to put any other interpretation upon the Act. He should support the Amendment of his hon. and learned Friend, because he believed that no real grievance had been shown, and that the passing of the Bill would only tend to what he believed to be a most dangerous thing—the introduction of the Jesuits into this country.

The Earl of ARUNDEL and SURREY said, the hon. Member who had just sat down, and who was so well known in that House for his sagacity and ability upon most occasions, had made a misstatement in the present instance. The hon. Member stated that Christian Brothers and Jesuits were not subject to transportation if they registered their names in compliance with the Act of 1829. [Mr. Henley: Not if they obeyed the order of banishment.] He thought the hon. Gentleman was using a Jesuitical argument. He perfectly saw the distinction which his right hon. Friend the Member for Oxford drew between the Jesuits and other orders; but his principle was, that the members of every order had a right to remain in this country. We were told that it was to secure the Protestants of this country that we wished to keep out these orders, and we were told that these orders were dangerous to civil obedience. The right hon. Gentleman said he thought the constitution of the Jesuits hardly consistent

with civil obedience. He would refer the right hon. Gentleman to Catharine of Russia, to Frederick of Prussia, to Henry of Navarre, as to their opinion of the merits of civil obedience from the Jesuits. He might be allowed to quote Southey in favour of the literary merits of the Jesuits. He said—

"Hating Popery as I do, yet I am a great admirer of the Jesuits as a body of men to whom literature is much beholden, in fact all mankind. The lowest and most beggarly of them have done more as a body than any of our universities."

He said that it was of the utmost importance for the spread of Christianity to obtain persons devoted to the service of God, sacrificing their temporary interest and welfare to the interests of Christianity; attracting by their example and assiduous perseverance in their Christian duties the admiration of all, and drawing to them those who hated Christianity altogether. Were hon. Gentlemen aware of the atheistical and infidel publications now sold at the cheapest rate amongst the lower orders of the kingdom? He held in his hand a copy of the *Northern Star*, which contained a long advertisement, amongst others, of the following works:—

"The Infidel Text Book," "Discussion on the Authenticity of the Bible," "Discussion on the Existence of God," "Volney's Works," "Paine's Works," "The Bible of Reasons," "The New *Ecce Homo*, or Christianity proved Idolatry," "Socialism made Easy," "Voltaire's Works," "Life of Robespierre," and a book called "The Three Impostors, or Moses, Mahomet and Christ."

When such works as these were spread abroad, it was high time to ask for the assistance of the Jesuits. Without this, religion, justice, and honour, would forsake this country, and seek across the Atlantic for that freedom and independence which were here denied them.

Sir J. PAKINGTON was anxious to be allowed to state to the House the reasons why he was unable to arrive at the conclusions which had just been expressed by the noble Lord and by the right hon. Member for Dungarvon, and the reasons why he was unable to give a vote in support of the Committee on this Bill. He had always avowed his anxiety to relieve his Roman Catholic fellow-subjects from every disability which could possibly hurt them, and to extend to them every concession consistent with a fair and just support of Protestantism. On the same principle he had been willing to give a vote for the repeal of obsolete penal statutes, and to relieve the Statute-book from those enactments which, without being beneficial to the Church or the Protestant population of this country, had been found galling to the feelings of the Roman Catholics; but, on the other hand, he was not prepared to give a vote for any measure, the tendency of which was to repeal those securities which were established by the Roman Catholic Relief Bill of 1829. He had just heard from the right hon. Gentleman the Member for Dungarvon—and from him it was a large admission—that where concessions were accompanied by securities, that those securities and those concessions ought to stand together. He accepted that opinion on the part of the right hon. Gentleman, and it was on that principle he was prepared now to give his vote; and he could not allow to the right hon. Gentleman the right which he had assumed in his speech, of taking it upon himself to distinguish with regard to what were securities and what were not securities, and to declare that he was ready to give his vote for the repeal of those enactments which others held to be securities. He believed that the Bill now before the House, if not exactly identical, was essentially the same with the Bill brought in by Mr. Watson during the last Session of Parliament. It consisted of two parts. One went to repeal certain obsolete enactments, and the other went to repeal the securities of 1829. Last year, when the same Bill was before the House, it was contended that the right course for those who disapproved of the securities of 1829, and wished to do away with obsolete statutes, was to vote for the Bill going into Committee, and then in Committee to get rid of the objectionable portions. According to Parliamentary practice this would be the right course. If this Bill were before the House for the first time, he should be prepared to vote on that principle; but when he found that notwithstanding the discussion of last year this Bill was again brought forward in precisely the same shape in which it was objected to last year, he was driven to the conclusion that the part to which importance was really attached was not the repeal of obsolete statutes, but the repeal of those securities of 1829 which he trusted, in common with the majority of the House, he was desirous to maintain. He therefore wished to say simply, that if the hon. and learned Member for Youghal, or any other hon. Member, would bring in a Bill simply to repeal those obsolete enactments, he

should be prepared to give a cordial support to the measure; but looking at the circumstances under which this Bill was now introduced—looking further at the provisions of this Bill, a second time seeking to repeal the securities of 1829, he felt he could not misunderstand the real object of the Bill; and notwithstanding it was his anxious wish to extend every indulgence to the Roman Catholics, he must give his vote in opposition to the Bill.

The ATTORNEY GENERAL said, that, as during the discussion he had been twice appealed to by the hon. Member for the University of Oxford, and the Member for Oxford, to state his opinion as to the first provisions of this Bill, the House would excuse a few observations. If he were to answer every question, it would open a door to legal discussion which would weary the House rather than convince them, or satisfactorily occupy their time. The first question might very properly be deferred to the time when he should have an opportunity of correcting any erroneous impression which might have existed. He apprehended that it was unnecessary in this stage to enter into an inquiry of this sort. It was certainly unnecessary to satisfy the right hon. Gentleman who first put the question to him, because whatever was the answer to the question in the first branch of the Bill, he was prepared to vote on the portion comprehended in the second division. It was quite unnecessary to make any answer to those who objected to all further exclusions, for be the answer one way or the other, they were prepared to vote in the affirmative; but there might be some Members who, thinking the settlement of 1829 final, might be prepared to go into Committee on the first branch of the subject. If he could show that there was any Act in the first branch which was not repealed, and which ought to be repealed, he should have stated sufficient ground for going into Committee. Now he believed that the Act of 13 Eliz., cap. 2, was not repealed; and if it ought to be repealed, it required an Act of Parliament for that purpose. He therefore trusted that the House would have no difficulty in going into Committee on the Bill.

The House divided, on the question that the words proposed to be left out stand part of the Bill:—Ayes 186; Noes 154: Majority 32.

List of the AYES.

Adair, H. E.
Adair, R. A. S.
Adare, Visct.
Alcock, T.
Anson, hon. Col.
Anson, Visct.
Baines, M. T.
Barkly, H.
Baring, rt. hon. F. T.
Bellew, R. M.
Berkeley, hon. H. F.
Berkeley, hon. G. F.
Birch, Sir T. B.
Blackall, S. W.
Blake, M. J.
Bouverie, E. P.
Bowring, Dr.
Bright, J.
Brockman, E. D.
Brotherton, J.
Brown, W.
Buller, C.
Bunbury, E. H.
Busfeild, W.
Buxton, Sir E. N.
Callaghan, D.
Campbell, hon. W. F.
Carter, J. B.
Caulfield, J. M.
Cavendish, hon. G. H.
Cayley, E. S.
Clay, J.
Clements, hon. C. S.
Clifford, H. M.
Cobden, R.
Colebrooke, Sir T. E.
Craig, W. G.
Crawford, W. S.
Dawson, hon. T. V.
Devereux, J. T.
Drumlanrig, Visct.
Drummond, H.
Duff, G. S.
Duncan, G.
Dunne, F. P.
Ebrington, Visct.
Ellice, E.
Elliot, hon. J. E.
Evans, J.
Ewart, W.
Fagan, W.
Foley, J. H. H.
Fordyce, A. D.
Forster, M.
Fox, W. J.
Gardner, R.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W. E.
Glyn, G. C.
Gower, hon. F. L.
Graham, rt. hon. Sir J.
Granger, T. C.
Greene, J.
Greene, T.
Gregson, S.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Haggitt, F. R.
Hall, Sir B.
Hayter, W. G.
Headlam, T. E.
Henry, A.
Herbert, H. A.
Hervey, Lord A.
Heywood, J.
Howard, hon. C. W. G.
Hume, J.
Hutt, W.
Jackson, W.
Jervis, Sir J.
Johnstone, Sir J.
Keogh, W.
Keppel, hon. G. T.
Kershaw, J.
King, hon. P. J. L.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lewis, G. C.
Lincoln, Earl of
Lushington, C.
Macnamara, Major
M'Gregor, J.
M'Tavish, C. C.
Meagher, T.
Mahon, The O'Gorman
Marshall, J. G.
Marshall, W.
Martin, C. W.
Matheson, Col.
Melgund, Visct.
Milnes, R. M.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Monsell, W.
Morpeth, Visct.
Morison, Gen.
Mostyn, hon. E. M. L.
Mowatt, F.
Mulgrave, Earl of
Mure, Col.
Newry and Morne, Visct.
Nugent, Sir P.
O'Brien, T.
O'Brien, W. S.
O'Connell, M. J.
O'Connor, F.
O'Flaherty, A.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Peto, S. M.
Pigott, F.
Pilkington, J.
Price, Sir R.
Pusey, P.
Raphael, A.
Reynolds, J.
Ricardo, J. L.
Ricardo, O.
Rich, H.
Robartes, T. J. A.
Romilly, J.
Russell, F. C. H.
Rutherfurd, A.
Sadleir, J.
Scholefield, W.
Scrope, G. P.
Scully, F.
Seeley, C.
Seymour, Lord
Sheil, rt. hon. R. L.
Sidney, T.
Simeon, J.
Smith, rt. hon. R. V.
Smith, J. B.

Smythe, hon. G.
Somers, J. P.
Somerville, rt. hn. Sir W.
Stansfield, W. R. C.
Strutt, rt. hon. E.
Stuart, Lord D.
Stuart, Lord J.
Sullivan, M.
Sutton, J. H. M.
Talbot, J. H.
Talfourd, Serj.
Tenison, E. K.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Towneley, J.
Trelawny, J. S.
Tufnell, H.
Urquhart, D.
Vane, Lord H.
Verney, Sir H.
Villiers, hon. C.
Wall, C. B.
Walmsley, Sir J.
Watkins, Col. L.
Wawn, J. T.
Westhead, J. P.
Williams, J.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, W. P.
Wyvill, M.
Yorke, H. G. R.

TELLERS.

Anstey, T. C.
Arundel and Surrey, Earl of

List of the NOES.

Arbuthnott, hon. H.
Archdall, Capt. M.
Arkwright, G.
Bagge, W.
Bagot, hon. W.
Bailey, J.
Bailey, J. jun.
Baldock, E. H.
Bankes, G.
Bateson, T.
Beckett, W.
Beresford, W.
Bourke, R. S.
Bowles, Adm.
Brackley, Visct.
Bramston, T. W.
Bremridge, R.
Broadley, H.
Brooke, Lord
Brown, H.
Bruce, C. L. C.
Buck, L. W.
Buller, Sir J. Y.
Burghley, Lord
Burrell, Sir C. M.
Burroughes, H. N.
Cabbell, B. B.
Carew, W. H. P.
Chichester, Lord J. L.
Cholmeley, Sir M.
Christopher, R. A.
Christy, S.
Cocks, T. S.
Codrington, Sir W.
Cole, hon. H. A.
Coles, H. B.
Colvile, C. R.
Compton, H. C.
Conolly, Col.
Corry, rt. hon. H. L.
Cripps, W.
Davies, D. A. S.
Deedes, W.
Deering, J.
Disraeli, B.
Dodd, G.
Duckworth, Sir J. T. B.
Duncuft, J.
Dundas, G.
Du Pre, C. G.
Edwards, H.
Egerton, W. T.
Farnham, E. B.
Farrer, J.
Filmer, Sir E.
Fitzroy, hon. H.
Floyer, J.
Forbes, W.
Forester, hon. G. C. W.
Fox, S. W. L.
Frewen, C. H.
Fuller, A. E.
Galway, Visct.
Goddard, A. L.
Gordon, Adm.
Goring, C.
Granby, Marq. of
Greenall, G.
Grogan, E.
Gwyn, H.
Halford, Sir H.
Hall, Col.
Halsey, T. P.
Hamilton, G. A.
Hamilton, Lord C.
Harris, hon. Capt.
Hayes, Sir E.
Heald, J.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Hildyard, R. C.
Hildyard, T. B. T.
Hodgson, W. N.
Hood, Sir A.
Hope, Sir J.
Hornby, J.
Hudson, G.
Ingestre, Visct.
Ireland, T. J.
Jocelyn, Visct.
Jolliffe, Sir W. G. H.
Jones, Capt.
Knight, F. W.
Knox, Col.
Lennox, Lord H. G.
Lewis, rt. hon. Sir T. F.
Lindsay, hon. Col.
Lockhart, W.
Long, W.
Lowther, hon. Col.
Lowther, H.
Lygon, hon. Gen.
Mackenzie, W. F.
M'Naghten, Sir E.
Manners, Lord G.
Masterman, J.
Maunsell, T. P.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Moody, C. A.
Morgan, O.
Mundy, E. M.
Neeld, J.
Newdegate, C. N.
Noel, hon. G. J.
Packe, C. W.
Pakington, Sir J.
Palmer, R.
Pennant, hon. Col.
Plumptre, J. P.
Plowden, W. H. C.
Powell, Col.
Prime, R.
Reid, Col.
Renton, J. C.
Richards, R.
Rushout, Capt.
Sandars, G.
Scott, hon. F.
Seymer, H. K.
Shirley, E. J.
Sibthorp, Col.
Sotheron, T. H. S.
Spooner, R.
Stafford, A.
Stuart, H.
Stuart, J.
Sturt, H. G.
Thompson, Ald.
Tollemache, J.
Trollope, Sir J.
Turner, G. J.
Verner, Sir W.
Vyse, R. H. R. H.
Waddington, D.
Walpole, S. H.
Walsh, Sir J. B.
Welby, G. E.
Wellesley, Lord C.
Williams, T. P.
Willoughby, Sir H.
Wyld, J.

TELLERS.

Inglis, Sir R. H.
Law, hon. C. E.

The House went into Committee *pro formâ*, and resumed.

Committee to sit again.

House adjourned at Six o'clock.

HOUSE OF LORDS,

Thursday, February 17, 1848.

MINUTES.] *Took the Oaths.*—Several Lords.

PUBLIC BILLS.—2ª Diplomatic Relations with the Court of Rome.

PETITIONS PRESENTED. From Islington, Twycross, Wethersfield, Canterbury, Blandford, and Wrexham, against the Admission of Jews into Parliament.—From Inhabitants of the Parish of Ingrow-cum-Hainworth, against the Diplomatic Relations with the Court of Rome Bill.—From Lichfield, for the Removal of Jewish Disabilities.—From Independent Order of Odd Fellows, Manchester Unity, of Tewkesbury, that the Provisions of the Benefit Societies Act may be extended to them.—From Parish of St. Mary, Islington, and other places, for the Adoption of Measures to Impose the severest Penalties on all those Roman Catholic Priests who shall Denounce Persons from the Altar.—From Clerks, Masters, and Matrons of different Workhouses, that Provision may be made for the Superannuation of all Meritorious Officers who may become permanently disabled.—From Landholders, and others of the City of Aberdeen, for the Repeal of the Inventory Duty on Personal Estates (Scotland).

DIPLOMATIC RELATIONS WITH THE COURT OF ROME BILL.

The MARQUESS of LANSDOWNE: In pursuance of the notice which I gave the other evening, I now rise to move the Second Reading of a Bill for enabling Her Majesty to establish Diplomatic Relations with the Court of Rome. I am perfectly aware, in calling your Lordships' attention to this matter, that it is one which is so far of a novel nature as never to have

been the subject of any definite proposition for legislative enactment in either House of Parliament. At the same time it has been incidentally adverted to more than once in the course of your Lordships' debates; and I myself, not long ago, in an incidental discussion in this House, ventured to intimate my own opinion (speaking, however, for myself alone), that it was most desirable that some such measure should be introduced. I have now, my Lords, the satisfaction, with the full concurrence of my Colleagues—with, I trust, the approbation of a large part of this and of the other House of Parliament, and also, I am sanguine enough to hope, with the approbation of a large portion of the inhabitants of this country—to move your Lordships to give the facilities required to Her Majesty for the establishment of diplomatic relations between the Court of England and the Court of Rome. My Lords, it has been supposed by some that there are no impediments to the Sovereign establishing these relations without an Act of Parliament; and I know that I shall be met in some quarters with the objection—"Why is this Act necessary? Is not Her Majesty enabled, as the law now stands, to establish the same species of diplomatic relationship with the Court of Rome, as She is with every other civilised Court and kingdom?" It is the doubt which, I admit, hangs over this part of the subject which makes it necessary for me in some degree to justify the introduction of a Bill with respect to it at all, and to call your Lordships' attention to the circumstances in the law out of which this presumed doubt has arisen. It has then been supposed that in two Acts—Acts which in the Bill on your Lordships' table are more particularly referred to—in two Acts, one of them known generally as the "Bill of Rights," passed in the first year of William and Mary; the other, the Act for Settling the Succession to the Crown, passed in the 12th and 13th years of the same reign—Acts, the importance of not meddling with which, except after most mature deliberation, all of your Lordships will acknowledge—Acts, which I consider to be the muniments, and the safeguards, and the defences of the constitution of this country—Acts, against the spirit of which I should be the last man to propose anything—to propose any measure which could militate against the great, the constitutional, and holy object for which they became the law of the land, and for which I trust that they will ever continue the law of this land; with reference, my Lords, to these Acts, it has been supposed, not from anything in the Acts, but from certain doctrines held to be implied from an expression in the first of these Acts, and referred to in the second, that the Queen is by them, if not by the constitution previous thereto, disabled from establishing those diplomatic relations with the Court of Rome which it is the object of this Bill to enable her to set on foot. If I may be allowed to form an opinion, my Lords, on these Acts, I should be inclined to say that they do not so disable Her Majesty. The common sense and obvious understanding of these Acts, my Lords, I hold to be this, that they were intended to prevent any person sitting upon the Throne of these realms from being reconciled to or holding communion with the Church of Rome; that is to say, to prevent a spiritual and ecclesiastical reconciliation; but that they do not debar the Sovereign from establishing those diplomatic relations with the Court of Rome which the experience of the world has proved to be essential for political and temporal purposes. But there are those, my Lords, who think differently with respect to these Acts. Others have thought that, independently of these Acts, it was contrary to the law of England—Christianised as this country was previous to the time when these Acts were passed—for the Sovereign to send any diplomatic emissary or ambassador to Rome. As much, my Lords, has been said with reference to the case of Lord Castlemaine, I must direct your Lordships' attention closely to that case, for although it was held by some to bear out the doctrine of the illegality of sending ambassadors to Rome, yet I confess that I think it makes the other way, and proves the legality of sending ambassadors to Rome, although undoubtedly it would be illegal for the secret purpose for which it was suspected at the time, and, I believe, rightly suspected, Lord Castlemaine was sent. My Lords, that nobleman was selected for this commission, immediately previous to the Revolution, by that unfortunate Monarch whose peculiarity it was always to do the wrong thing at the wrong time, and to choose the wrong instrument for doing it. That the choice of Lord Castlemaine was wrong is very evident; indeed, at the time of his selection, Barillon, the French Minister at the Court of James II., observed, that in

choosing Lord Castlemaine, the King had pitched upon the person who was exactly the most unfitted for the task—the most unfit, owing to the very little which was known of him, and the great deal too much which was known of his wife, who accompanied him. But however that may be, Lord Castlemaine proceeded on his mission, and found the Court of Rome much more occupied with temporal affairs than with those mere ecclesiastical objects which formed the immediate purpose of his visit. He came back therefore discontented, having effected nothing. Shortly afterwards the Revolution took place, and soon after the House of Commons, pursuing as it did, with commendable determination and perseverance, an inquiry into all the actions of the late reign, called Lord Castlemaine to the bar of their House to account for his conduct in accepting an illegal commission. The order made by the House of Commons was in general terms that his Lordship do stand committed. He was, however, afterwards heard at the bar of this House; and if your Lordships will refer to the State Trials,* you will find the whole of his interrogatories, and his speech in his own defence. Your Lordships will there see the grounds on which he based his defence. Now, the examination of Lord Castlemaine showed this, not that he went as an ambassador—not that he received instructions to go to Rome in that capacity—but that the object of these instructions was to effect a reconciliation between this country and the Papal See. And this was the sense in which the House of Commons understood the accusation, for it would be seen by referring to the resolutions of the House of Commons upon the subject, that they did not dwell upon the mere fact of the embassy to the Bishop of Rome, but upon the illegal object of the embassy. The resolution of the House ran thus :—

"That the Earl of Castlemaine be charged in the Tower, by warrant from this House, for high treason and other crimes and misdemeanours, and that there be inserted in the warrant these words, 'for endeavouring to reconcile this country with the See of Rome.'"

He was imprisoned—not, be it observed, for accepting a mission to Rome, but for accepting it with a certain object. Why, then, taking that case in testimony, as an exposition of the law at that time, I must say, I do not conceive that it shows visible grounds for supposing that Lord Castlemaine did wrong in simply accepting a mission to Rome; but that he did so for the purpose of secretly effecting a reconciliation in religious matters. It is, however, but fair to state that, at the time, many persons, and some of them of high authority, entertained a different opinion. I think it but fair to state that one eminent man, Bishop Burnet, did not agree in the view I have taken; but still, the bishop was one of those historians, who, although I am persuaded that he thought and wrote with honest zeal for the interests of his country, are apt to be more or less carried away by the impressions and prepossessions which they themselves are liable to. Burnet, in his admirable history, says, he conceives that Lord Castlemaine had committed an act of high treason; but he adds, that the mission was undertaken for an improper purpose at the instance of James II. Lord Chancellor Jefferies found great difficulty in reconciling that which he knew to be the state of the law with that which he equally well knew to be the wish of his Royal Master. The following are the words of Bishop Burnet :—

"So they moved to the King to send an ambassador to Rome. This was high treason by law. Jefferies was very uneasy in it. But the King's power of pardoning had been much argued in the Earl of Danby's case, and was believed to be one of the unquestionable rights of the Crown. So he knew a safe way in committing crimes; which was, to take out pardon as soon as he had done illegal things."

Another historian of the highest character, and one who at the same time was one of the ablest amongst the constitutional lawyers of this country—I allude to Sir James Macintosh—in his most valuable dissertation on the Revolution, gives his opinion to the effect that the mission of Lord Castlemaine was an illegal proceeding. My Lords, I thought it fair to state these circumstances, because they throw a certain degree of uncertainty, and doubt, and suspicion over the whole of this transaction, which, in my opinion, makes it expedient for your Lordships, if you think fit to confor this power upon the Sovereign, to do so by an enactive and not by a declaratory proceeding. My Lords, I have alluded to the expressions in the two Acts which I have quoted, and which have been held to make it illegal for the Sovereign to send an ambassador to the Court of Rome. Since their enactment a century and a half has passed, and difficult and delicate as may be the task, yet the fact is certainly susceptible of proof, nay, of notorious proof,

* Howell's State Trials, Vol. vii. p. 598.

that notwithstanding the opinion that the proceeding was illegal, yet such was the necessity of the case—such were the obvious advantages of a communication with the Court of Rome—such the necessities, as well in time of war as in time of peace—that scarcely a reign has elapsed from the period in question, in which, by indirect methods, by uncertain and indirect channels, negotiations have not been attempted to be set on foot with the Court of Rome, and the advantages of diplomatic intercourse obtained by more circuitous, and therefore by more imperfect, methods. In the following reigns one of the plans put into operation was the adoption of the agency of eminent Englishmen visiting the Court of Rome, and who were requested to communicate upon certain subjects. But surely such a mode of communication was more to be deprecated than a more open and direct method. The persons chosen might be objectionable, and they acted without responsibility, and without fear of being called to the bar of public opinion, which is, after all, the real control and the real safeguard against any mischief to be apprehended from such intercourse. The House of Hanover happily succeeded to the Throne of this country, and during the succeeding reigns of the Sovereigns of that House repeated communications with the Pope took place; and at no period were they more frequent than at the time when the country had the benefit of the advice of one of the greatest Ministers who ever was at the head of the Councils of this kingdom—I meant Sir Robert Walpole. This Minister, who bore upon his shoulders the weight of a mighty monarchy, and who was the prop and pillar of the Protestant Succession, and of the House of Hanover, which was so deeply connected with that succession—Sir Robert Walpole was in repeated communication with the Roman Pontiff. Frequently he employed his brother Horace for that purpose, and he had also repeated recourse to the instrumentality to which I have adverted, that of eminent British subjects travelling in Italy. Indeed, a somewhat amusing anecdote has been recorded upon the subject by Horace Walpole, who states that so great was the regard which the Pope entertained for his brother, Sir Robert, that he omitted no opportunity of paying him court. Sir Robert Walpole, being fond of the fine arts, had made a very large collection of paintings, to which he was desirous of adding a celebrated picture by Guido, "The Assumption of the Virgin;" but according to the foolish prejudices which prevailed at Rome, some difficulty was made regarding its exportation to England. However, as soon as it was made known to the Pope that the picture was for Sir Robert Walpole, he, for the purpose of gratifying that heretical Minister, and showing him the regard he entertained for him, gave orders that no difficulty should be made in sending it to England. Unfortunately it afterwards passed out of the country, together with the rest of the collection, and was transported to Russia. The Court of Hanover—the Protestant Court of Hanover—established relations and sent a Minister to the Court of Rome, not having an interest in the affairs of Italy or of Rome like that which we have, for the purpose of cultivating a connexion for political objects; but because it was part of the policy of this country to have a representative at the Court of Rome as a means through which communications could be had on behalf of our countrymen. My Lords, I come now to a somewhat later period—I come to the commencement of the French Revolution. At that time it was found expedient to have repeated communications with the Roman Pontiff. I remember to have been acquainted with Sir John Cox Hippesley, and to have been shown by him a great mass of correspondence which he conducted on behalf of the British Government with the Court of Rome. What! a Member of the British Parliament, in communication with the Government, resident at the Court of Rome, and who was in perpetual communication not only with the Pope but with the Pretender — Cardinal York—himself? Can we go farther than that? There was no Exeter Hall then; but if it was unconstitutional—if it was against the law of these realms—the fact was enough to have called forth ten Exeter Halls, and to have made them resound with denunciations. I may add that Sir John Cox Hippesley conducted a negotiation for allowing the Pretender a pension of 2,000*l.* or 3,000*l.* a year. Here was a negotiation carried on at the Court of Rome, by the authority of the British Government. I come now to a still later period. At the commencement of the French war we had a very large force in the Mediterranean Sea, under the command of Lord Hood. Lord Hood, whilst carrying on his operations (I believe he was blockading Toulon), found himself at a great

loss to supply his fleet with water. It did happen that the best water he could obtain, and the nearest, was to be had in the Papal dominions; it was therefore necessary to make an arrangement with the Pope; but, although an excellent commander, he was no theologian, and though he had the benefit of a chaplain in every vessel, he had no lawyer. He therefore wrote for advice, both to Rome and to England, asking advice whether it was proper that he should establish communications with that Power. And I am the more induced to state these particular transactions, as they led to a declaration of opinion from the late Mr. Burke. This opinion is conveyed in a letter not in the published collection. Mr. Burke, when asked his advice upon the matter, whether Lord Hood could safely and properly obtain his supplies of water from a Power constituted as the Court of Rome was, and alienated from this country, says—

"Nobody can be so squeamish as to refuse benefits (nothing else will ever be offered by his Holiness), because they come from the Pope. He would be an admiral of wonderful theological talents, but of not quite such splendid military qualities, who should scruple the receipt of those indulgences called '*Munitions de Guerre et de Bouche*' from a prince-prelate that believes in purgatory. I should not think a great deal better of a statesman at home who, from a disposition to polemic divinity, was so indifferently qualified for the conduct of any other kind of warfare. But we have no such admirals and no such ministers. I confess I would, if the matter rested with me, enter into much more distinct and avowed political connexions with the Court of Rome than hitherto we have had. If we decline them, the bigotry will be on our part, and not on that of his Holiness. Some mischief has happened, and much good has, I am convinced, been prevented by our unnatural alienation. If the present state of the world has not taught us better things, our error is very much our fault."

[Lord KENYON: May I ask the date of that letter?] The 3rd of October, 1793. I have discovered a much later instance of this description this very day, lying buried in a blue book printed for the use of the House of Commons. It could not, perhaps, have been more safely buried than in such a place; and if I commit any act of treason of this kind, I trust the record of it will be buried in a similar place. The law was violated, if it be law, by the late Duke of Portland, then holding high official position, who entered into communication with the Court of Rome for the laudable purpose of establishing Christianity in the Island of St. Domingo. The Duke of Portland communicated with Cardinal Antoleddi, at whose instance a Prelate was sent over to London, who had repeated interviews with the Duke; and the latter expressed his high sense of gratitude at the conduct of the Pope towards this country. Things went on in this manner, the principle now silently, now forcing its way through all difficulties, until it became the custom of this country, if not the law. I do not trouble your Lordships with other instances: those which I have stated occurred within my own observation. I could cite many more, if I referred to the Foreign Office. During the Grenville Administration a petition was made to the Pope to permit us to recruit for our service in the Mediterranean Sea, and the greatest satisfaction and gratitude was expressed to the Pope for his permission. Nor was this all—a petition was made to the Pope to permit the passage of English troops through the Italian territories, the prayer of which was acceded to, and again the gratitude of the Government was expressed for the favour. I think I have established the necessity which has arisen from time to time of a correspondence with the Roman Court. But I come now to a question which has been repeatedly asked out of doors. Is not this for the first time recognising the authority of the Pope; and has the Pope up to this moment ever recognised the authority of the Queen or the Sovereign of this country? I am much surprised that this question should be asked, although I know it has been so. Not recognise the Pope, my Lords! I should be glad to know what becomes of the Treaty of Vienna, under which treaty Great Britain has become a party in securing, not only the possessions to which the Pope was entitled, but also other portions ef Italy are transferred and guaranteed to him. Great Britain is one of the contracting parties; she has bound herself to a performance of this. And may I ask you, my Lords, who affixed the Great Seal of England to that treaty? Why, my Lord Chancellor Eldon—of whom I wish to speak with the most unfeigned respect; and he would not consider it disrespectful, nor would one of his posterity deem it such, to assert that he, of all public men, was the most adverse to the ascendancy of Rome or her scripture. Yet to that treaty you will find the Great Seal appended upon the responsibility of my Lord Chancellor Eldon. But does the Pope recognise the authority and sovereignty of the Crown of these realms?

Why, my Lords, there has been no time when it was fit for him to recognise the Sovereign of these realms at which he did not do it. I find that a short time after the accession of His late Majesty King George IV. to the Throne of these realms, that the Pope addressed a formal letter to him, congratulating him upon his happy succession. This letter, with some difficulty, through some circuitous diplomatic route, at length reached His Majesty; and what did he do? Why, with the feeling and spirit of a gentleman, he immediately sat down, and with his own hand wrote a letter to the Pope, thanking him for his attention and kindness. The letter was sent, but no sooner was it sent than some over-cautious Minister conveyed to His Majesty his opinion, that, after all, in writing that letter to the Pope, he might be forfeiting His Crown, and a messenger was sent after to recall the letter; but it was too late, and it reached its destination, namely, the hands of the Pope. *Quoad* that letter His Majesty's right to the Crown was forfeited. My Lords, there is nothing in that objection. We have recognised the Pope again and again; and again and again has the Pope recognised the authority of the British Crown. He has repeatedly appealed for assistance to these countries, and repeatedly invoked both the aid of the arms and councils of this country. But I do submit, that if this species of intercourse must of necessity subsist, that it ought to be conducted under circumstances of undoubted legality and greater form, and more under the control and observation of public opinion, than can be effected through the means of those underground channels which are open to every sort of objection and difficulty. It ought to be conducted within view of your Lordships, and within view of the other House of Parliament, under the control of public opinion, which alone forms the best security for the country. I therefore submit this Bill to your consideration. I do think the time has come for making the law known and explicit; and I cannot bring myself to believe that your Lordships will be of opinion, because 180 years ago a Popish Sovereign of this country engaged in a guilty mission to the Court of Rome, which mission failed in its object, and which remains after the lapse of more than a century and a half the only instance upon which apprehension can be founded —I say I cannot bring myself to believe that you will reject this Bill. I cannot believe, judging of the time and circumstances of the world—considering the increased facilities of communication, which has rendered diplomatic intercourse of tenfold necessity—that owing to one transaction, and the prohibition to which it gave rise, you will consent that Her Majesty shall remain debarred from establishing relations from which so much good may arise, and from which if any evil should arise, it shall at once meet with the check, the control, and the reprobation which it would merit. The laws prohibiting the exercise of any temporal or legal authority by the Pope within these realms will remain untouched: it is not the object of the present Bill to alter them. There are no words which I shall object to introduce which will make this Bill more secure, or prevent the Roman Pontiff from claiming the shadow of sovereignty in these realms. The mere purport of the Bill is to establish diplomatic relations, which I firmly believe to be connected with the best interests of the country in time of peace, and might be of the utmost importance in time of war, which, at all events, were fit to be incorporated with that general system of diplomatic intercourse they carried on with all other nations of the world; not Christian nations only, but with Governments of every clime and creed, and which was in every instance unattended either by mischief or danger. The noble Marquess concluded by moving that the Bill be now read 2ª.

The DUKE of NEWCASTLE addressed the House, but was scarcely audible. He was understood to oppose the Bill, on the ground that it was safer to adhere to the system prescribed by the present law. Nothing could be more dangerous than allowing another Sovereign, and that Sovereign the Pope, to interfere in the affairs of this country. If the people saw a Legate from Rome received, it would create an impression that Popery was acknowledged and established. If the present prohibition was removed, the other laws relating to the Pope's authority would soon follow. He moved that the Bill be read a second time that day six months. The noble Marquess who had brought forward the Bill in so eloquent and able an address, had admitted that it was necessary to make out a strong case in order to justify such a measure; and that was indeed the case when it was considered that the object of the Bill was to repeal two Acts of Parliament of such im-

portance as those alluded to by the noble Marquess.

The MARQUESS of LANSDOWNE: To declare the construction of those Acts.

The BISHOP of WINCHESTER said, that the noble Marquess who introduced the measure had placed it before them with two arguments, upon which he mainly relied: one was the expediency of such a communication with the Court of Rome as this measure proposed; and the other was based upon the inconvenience which would arise from a continuance of an indirect communication with that Court; the noble Marquess at the same time fully admitting that, under the existing state of things, whenever the occasion arose, some mode of communicating with that Court presented itself. The noble Marquess had alluded to the inconveniences which were calculated to arise from an indirect communication with the Court of Rome; but there was one very important inconvenience to which he had not alluded, namely, the inconvenience which might arise from the establishment of diplomatic relations with that Court. Might it not happen that from the establishment of such relations inconveniences would arise of such a nature as ought to deter their Lordships from agreeing to this measure? Had they considered the question as to whom the Court of Rome should appoint as Minister in this country? They had all seen recently certain rescripts, as they were called, written in Rome, and addressed to a portion of the British empire. He had seen them, and he would confess that he looked with jealousy upon them, although he would admit that those which had recently appeared were in the right direction, and suggested the impropriety of encouraging assassination, and pointed out the evils which must arise from such a course of conduct. The Bill now before their Lordships forcibly reminded him how very easy it was to slide into the language of Popery insensibly, for he found that the Bill declared that it should be lawful for Her Majesty "to receive at the Court of London any Ambassador, Envoy Extraordinary, Minister Plenipotentiary, or other diplomatic agent or agents whatsoever, of and accredited by"—by whom? By the "Sovereign Pontiff." He believed that this was the first occasion since the Reformation upon which those words, "Sovereign Pontiff," were used in any Act of Parliament. They were not used in the Acts referring to *præmunire*, which had of late been so frequently referred to—they were not used in the Act of Succession—they were not used in the Act for preventing granting First Fruits to the Church of Rome; and so lately as the 10th George IV., called the Roman Catholic Relief Act, they were not used. All these Acts to which he had alluded, and all other Acts since the Reformation which referred to the subject, cautiously abstained from the use of a phrase which appeared to sanction the alleged supremacy of the Court of Rome; and therefore in those Acts he was usually styled the Bishop of Rome, although occasionally he was called "the Bishop of Rome, sometimes called the Pope." In the Act of George IV., called the Roman Catholic Relief Act, he was called the Pope of Rome, those words being used in the oath. This was a case of somewhat more importance than the mere words. The noble Marquess who moved the second reading of the measure stated that on the occasion of the accession of George the Fourth to the Throne the Pope sent a congratulatory message to the King; in answer to which a letter was written by His Majesty: whether that letter reached the Court of Rome or not, this was certain—that if the letter had been sent to Rome, it was sent in contravention of the opinions of the law officers of the Crown. [Here the right rev. Prelate read an extract from the opinion of the law officers of the Crown of that day, to the effect that as the Pope claimed authority, jurisdiction, and pre-eminence over the whole Christian Church, and certainly over the Roman Catholic Church in these realms, that any letter to him would be interpreted into an admission and recognition of such claim, and would bring the writer within the penalties of *præmunire;* and it went on to say that the Legislature had, by carefully adopting the title "Bishop of Rome," instead of Pope, in the various Acts passed since the Reformation, exhibited an anxiety to avoid any such implied recognition of the Pope's supremacy.] The right rev. Prelate said, that the extract which he had quoted would clearly show to their Lordships that the letter referred to could not have been sent with the acquiescence of the law officers of the Crown. He (the Bishop of Winchester) thought that the title "Sovereign Pontiff" did not agree in its meaning with that opinion; and he hoped the noble Marquess would so alter the words of the statute as to remove this objection, and make the measure more in accordance with the views

of those who did not admit the sovereignty and supremacy of the Pope. There was one point connected with a debate on a question of this kind on which he felt some personal anxiety. He was aware that there were several of their Lordships who professed the Roman Catholic religion, to whom these discussions must be distasteful; and he was most anxious, in any observations which he might make upon this Bill, to avoid everything which could be in the least degree disagreeable to those noble Lords, for whom he entertained the highest respect. One word more, and he would conclude. If they passed this measure they could scarcely stop there; they must go yet a step further. As well as the Acts cited by the noble Marquess, they must repeal the 6th chapter of the 13th of William III., for that Act contained these remarkable words, the more remarkable as being in an Act of the Legislature where such expressions would hardly be looked for. The right rev. Prelate here read an extract from the statute, nearly as follows:—

"Upon which said Acts" (referring to the two Acts quoted in the margin of this Bill, "the safety of Your Majesty's person and Government, the continuance of the Monarchy of England, the preservation of the Protestant religion, the maintenance of the Church of England as by law established in these realms, the security of the undoubted rights and privileges of the people, and the peace of this kingdom, do under God entirely depend."

The right rev. Prelate concluded by expressing his intention to vote for the Amendment.

The Bishop of ST. DAVID'S said, that he would not have taken any part in this debate if he had not been urged—indeed he might say compelled—by the example of his right rev. Friend to do so; otherwise, he should have regarded the question as partly of a technical legal character, which might be left to the judgment of those amongst their Lordships who were more conversant than himself with legal technicalities; and partly of a political character, which might be safely left to those of their Lordships and of Her Majesty's Government who were best acquainted with such matters. He had not considered the question as one which involved any points to which it would be necessary for him to address himself; and it was in that position that the case appeared to him after the luminous statement of the noble Marquess who moved the second reading of the Bill. The noble Marquess had shown that so far as the present law was concerned there were doubts as to the legal impediments which existed in the way of holding communication with the Court of Rome; and he (the Bishop of St. David's) would add, that to any one who was not conversant with the law, and who looked at the letter of the law as it stands, and in the common acceptation of the words, it would appear evident that by communion with the See of Rome was not meant a mere communication with the Court of Rome as a temporal Power and as the seat of the sovereignty of the Roman States. That was, however, a legal question, with respect to which it might be necessary to declare the law; but he would say that it could not be maintained to be so clear, as the noble Duke (the Duke of Newcastle) who moved the Amendment assumed it to be, that this measure was an undoubted and unquestionable infraction of the Bill of Rights. With regard to the political necessity for such a measure, he (the Bishop of St. David's) thought it was quite clear that such a necessity had been made out—that such a necessity not only existed at present, but had existed in former times—and that to legalise diplomatic relations with the Court of Rome, was only legalising the practice of all the Governments from the Revolution to the present time. It was quite clear that this measure caused no substantial innovation by legalising diplomatic relations with the Court of Rome, as it would only render that public, open, safe, and honourable, which had hitherto been done indirectly, and in a mode which was neither safe nor honourable, because it was private and clandestine. If no such precedents as those to which the noble Marquess had alluded were to be found, he (the Bishop of St. David's) should rejoice to know and believe that at the present day there existed a political necessity for such a measure; and his satisfaction at perceiving that necessity was heightened by the contemplation of the brighter prospects which were opening upon one of the most interesting countries and one of the noblest nations in the world; and he did not rejoice at this the less because it so happened that the illustrious individual who, actuated by the very genius of good sense, and influenced by a spirit of the most exalted patriotism, had taken advantage of existing circumstances, and placed himself in a far prouder position than that which any of his prede-

cessors had ever occupied, by uniting the character of a temporal prince with that of the head of the Roman Church. Looking upon him in that light, he did not know anything in his (the Bishop of St. David's) character or position which ought to prevent him from paying this tribute of respect to that eminent individual. There was another view of the question, however, which their Lordships had been urged to take, for it had been suggested that this subject had a religious side and aspect; and he had therefore listened anxiously in order to learn what were the grounds upon which his right rev. Friend could found his belief that the interests of religion, particularly of the Protestant religion, could be affected by this measure; but he found himself unable to gather from the arguments of his right rev. Friend that there was any substantial ground for such an idea. The point upon which his right rev. Friend had dwelt most forcibly was, the use of an expression in the Bill relating to the individual with whom they were about to establish diplomatic relations, and which, his right rev. Friend had stated, described that individual in a character which was not recognised in this country. His (the Bishop of St. David's) opinion was different; he conceived that it was a familiar and common mode of describing that individual; and, he believed, it would be found that the phrase was frequently used in ecclesiastical history, and by Protestant writers, who described the head of the Court of Rome as "the Sovereign Pontiff." He was a temporal sovereign and also a Pontiff; and he could not see any objection to describing him as Sovereign Pontiff. But if that were the only objection there would be no difficulty in removing it when they went into Committee. He gathered, however, from some intimations which had fallen from his right rev. Friend, that his right rev. Friend had confounded in his mind two things which were very different, and which ought to be kept perfectly distinct in the minds of their Lordships, namely, the expediency of permitting Her Majesty to send an accredited Minister to the Court of Rome, and that of receiving an accredited Minister from Rome in this country. He hoped that with respect to this part of the measure, whilst, on the one hand, care would be taken to avoid anything offensive to the Court of Rome, as a temporal Power, due respect would be paid to the opinions of a large class of persons in this country, who viewed the question with jealousy. He would remind their Lordships that they must now consider themselves as legislating for the future as well as for the present; that they were establishing relations with the Court of Rome which would be permanent; and whatever confidence they might have in the character of the present Pope, care should be taken not to enter into relations with him, which with other parties and in other times might be found inconvenient. He ventured to throw out those considerations, though he was quite sure they would not have escaped their Lordships' attention; and he hoped they would be taken up by some noble Lord, in order to introduce some modification into the measure in Committee. Speaking of the measure, however, on the whole, he must say that he had heard nothing to shake his conviction that it was a measure absolutely required by the circumstances of these times; that it was one which was essential to the political interests of the country; and attended with no shadow of danger to the established religion. He hoped, therefore, that no slight scruple—no doubtful question of law—would prevent their Lordships from giving their assent to the substance of the measure that had been proposed.

The Bishop of EXETER said, he was astonished to hear from the right rev. Prelate, or from any minister of the Church of England, that the style of "Sovereign Pontiff" applied to the Pope was an innocent expression, and one which Protestant writers were in the habit of using. Why, every bishop was a pontiff; but the words "Sovereign Pontiff" would place the Bishop of Rome above all bishops. He knew no Sovereign Pontiff. He emphatically declared against the principle, for the first time uttered by a Protestant bishop in a British House of Parliament. He must frankly tell their Lordships that he had great difficulty in assenting to what had been said on either side of the House that evening. He thought the noble Marquess had failed to make a case for a reasonable doubt respecting the question of the legality of the Crown to act as this Bill proposed; the Bill said it was expedient to enable the Crown to act; and for that reason he was disposed to object to the second reading, and to think that it ought to be rejected at its present stage. He had no doubt whatever, in spite of all that he had heard, with great respect to the noble Duke who had

addressed their Lordships, and to whom the country was so much indebted for standing forward at all times in support of the best interests of the country—and the highest of all were its religious interests—yet, notwithstanding what he had heard from the noble Duke and his right rev. Friend nearest him (the Bishop of Winchester), he could entertain no doubt on the subject. In the Bill was recited the Act of William and Mary, by which it was enacted, "that all and every person and persons who was, were, or should be reconciled to, or should hold communion with the See of Rome," should be excluded, and for ever incapable to inherit, possess, or enjoy the Crown. Now, any person who received absolution was said to be reconciled to the Church; and to hold communion with the Church was a special communication—*communicare in sacris*. There could be no doubt about the meaning; but if there were any question as to the power of Her Majesty to send a Minister to the Court of Rome, there was a more constitutional and safe course than to ask their Lordships to pass a measure fraught with danger, scandal, and alarm of every kind, and which would spread itself over every part of the kingdom. The safe and constitutional course would be to call upon the Judges of the land to give their opinion to their Lordships as to whether there was any reason for a doubt; and if they said there was not, then let this measure be brought forward by the advisers of the Crown on their own responsibility, and not under such a miserable pretence as the present, which made it apparently necessary, in order to secure the title of the Crown, that they should say it was expedient that Her Majesty should be enabled to establish diplomatic relations with the Court of Rome. It was true that Prussia and Russia sent embassies to Rome by whom all diplomatic business was discharged; but they did not permit a Romish Minister to come either to Berlin or to St. Petersburgh—London alone would have the high distinction of the presence of a Nuncio. Were we to see Rome raise her scarlet head at St. James's? If the Judges were found to say there was nothing to prevent Her Majesty from having a Minister at the Court of Rome, and it were thought necessary, let Her advisers take the responsibility upon themselves of adopting that course. But let them not allow the Pope to have an ambassador here. Let them look to the consequences of such an event. He was perfectly certain that times had been, and were likely to be again, when it was of the utmost danger to have a Minister near the Throne accredited from the Court of Rome. Let their Lordships remember that a Minister to this country from a foreign Court, was absolutely free from all responsibility. They could not proceed against him for any offence he might commit in this country; the policy of the world said they should not, and it was the recognised law of nations. Now, suppose there were—he would not say an emissary, but—an accredited Minister to this country from the Court of Rome, having his views directed against the Protestant succession to the Throne, or against any of the great Protestant interests of the country; and suppose he made his house the place of meeting at which should be hatched plots the most pregnant with danger to the peace and safety of the Crown, perhaps to join any foreign Powers that should be proposed to disturb the succession to the Throne—what might be the consequences? Let us remember that a large portion of Ireland had declared itself eager to join any foreign country that should be prepared to draw the sword against this. Could he hesitate to say that it was the duty of a Protestant country to provide against the possibility of a Roman Minister in England being the instrument by which these persons should safely combine and make common cause with the Ministers of those countries who were prepared to take the first opportunity of war. He put it to their Lordships' common sense, whether the case he now supposed was not one that would probably happen? He should have looked at this Bill with incomparably less suspicion if it had simply said that "whereas doubts had been entertained whether Her Majesty was enabled to have diplomatic relations with the Court of Rome, and it was expedient to remove those doubts, therefore," &c.; still by far the safest and most satisfactory course, in his judgment, would have been to call upon the Judges of the land. Having these views, he should decidedly vote with the noble Duke that this Bill be read a second time this day six months.

The Duke of WELLINGTON: My Lords, Her Majesty's Government thinking it desirable, in the existing circumstances of Italy, to increase and to facilitate the means of communicating with the Sovereign of the Roman States, has called upon your Lordships to give a second reading

to this Bill. My Lords, I confess when I first heard of the measure, I considered it with some degree of anxiety. My Lords, upon all occasions when I have had to make propositions to your Lordships in relation to the state of the Roman Catholics in this kingdom, I have always considered it my duty, with the utmost care, to endeavour to form a judgment upon those provisions of the law upon which are founded the Reformation in this country and the establishment of the Church of England. Certainly, it was the intention of those laws that there should be no communication, either political or otherwise, between this country and the Sovereign of the Roman States. My Lords, these laws remain in force at the present moment. A great alteration was made in these laws by the measure introduced into this House by my noble and learned Friend Lord Lyndhurst, viz. by the 9th and 10th Victoria, cap. 58, by which law the penalties have been mitigated, and in some instances entirely repealed. But, my Lords, all the noble and learned Lords at that time in this House, the noble Lord on the Woolsack, the noble Lord who sits near me (Lord Campbell), and my noble and learned Friend Lord Brougham, stated positively that the enactments of the law remained as they were; that some of the Acts prohibited by those laws were offences at the common law; and that they all remained as misdemeanors, although the penalties of *præmunire* were abolished. I remained satisfied with that assurance. I confess that I felt exceedingly anxious respecting the effect of this measure upon these particular laws, and intended this night to give notice that I would move a proviso in addition to the proviso already in the Bill—of a proviso declaring that those laws securing the supremacy of the Crown—that Her Majesty was supreme head and governor in all matters ecclesiastical as well as civil in England and the dominions thereunto belonging—should be considered as inviolable. I consider that this would be satisfactory to the people of this country, and it would be extremely useful in the measures to be adopted under the law, after it had received your sanction. It has been suggested to me that it would be probably more expedient to move a clause in the Bill, declaring that nothing contained therein should affect the laws which ensure the supremacy of the Crown in all affairs ecclesiastical and civil. In either of those two ways, as it may meet the approbation of your Lordships, I shall move an Amendment to that effect in the Committee on the Bill. Her Majesty's Government having desired to have a clear declaration of the law of England, and knowing that great advantages may be derived from regular diplomatic intercourse with the Sovereign of the Roman States, I am of opinion that it is desirable that that communication should be carried on regularly. If no other advantage is derived from it, you will have that of being certain to have true intelligence from responsible agents in a country in which Her Majesty's subjects have such interest as in the Italian dominions. Under these circumstances, my Lords, I shall support the second reading, and allow the Bill to go into Committee, in which I will move a proviso, which I will read to your Lordships, or else I will move an Amendment providing for the continued existence of the laws which I conceive it to be important should be maintained inviolable. The proviso is—

"Whereas it has been enacted and declared in the provisions of various ancient laws of this realm, that the Sovereign, acting by and with the advice and under the authority of both Houses of Parliament, should be sole and supreme governor of all matters ecclesiastical and civil within this realm and elsewhere within the dominions of the Crown of England; and whereas it is essential to the welfare of this realm that the said provisions as to the Crown and Government thereof should be invariably maintained, and it is expedient nevertheless to remove any doubt as to the competency of Her Majesty, her heirs, or successors, on the subject of relation with the Sovereign of the Roman States, be it enacted, &c."

That is the Amendment which I propose to move in Committee; but if your Lordships should be of opinion that it is more desirable to frame an enacting clause, I shall have no objection to move it.

LORD STANLEY: My Lords, if I entertained all the apprehensions which have been expressed by my noble Friend the noble Duke behind me (the Duke of Newcastle), whose uniform sincerity and honesty of purpose render it altogether unnecessary that he should apologise for addressing your Lordships on this subject—if I concurred in the apprehensions which have been expressed by the noble Duke, and believed that this Bill, or a Bill founded on the principle of this Bill, was at variance with the spirit of those enactments on which I could repeat the strong language which was quoted by a right rev. Prelate opposite, but upon which I concur, in the language of the enactments, that much of the liberties of the country—much of the rights

of the people of this country—a great portion of the monarchy of this country, mainly and essentially depend—if I could be persuaded that this Bill was contrary to those principles, and that it in the slightest degree endangered either the rights of the people or the rights and privileges of the Monarch—if I could believe that, by assenting to the principle of this Bill, we were in the slightest degree recognising, strengthening, or supporting any claim or pretext which the Sovereign of the Roman States may make to spiritual authority or temporal pre-eminence within these realms—no consideration of policy or expediency would induce me for a moment to hesitate; and, without doubt or difficulty, I should join with my noble Friend behind me in the direct negative with which he proposed to meet this question. But I confess I cannot go so far as my noble Friend appears to go in his view of the terrible consequences of the principle involved in this measure, or the apprehensions he entertains respecting it. I look upon the measure as one of great weight. I look upon it as a matter involving manifold and deep considerations of prudence and policy; but I do not look upon it as involving any dereliction of the principles upon which the Reformation proceeded—upon which the Bill of Rights and the Act of Settlement stand. At the same time, my Lords, when we reflect that the practice which it is now proposed to alter has existed for 180 years, or perhaps it is more correct to say for 300 years—that by the law and practice of this country intercourse with the Court of Rome during all that period was prohibited to the Monarch and subjects of this country—when we consider how deeply the feelings, the prejudices if you will, of the Protestant portion of this country are involved in the consideration of this question—I say it is one which your Lordships ought to approach with that respect which is due to the deep-seated religious feelings of the people, not less than to the importance of the measure. I say it is one which ought not to have been hastily introduced, and which ought not to be hastily carried through your Lordships' House. I say it is one upon which full explanation, not only to your Lordships, but to the people of this country, is due, and may be fairly expected by them. I say more—I say it with regret—but I say that the manner in which this Bill has been introduced is not such as we have a right to expect. My Lords, I do not stop to argue the question whether those doubts which are expressed in the body of this Bill, with regard to the proper construction of the Bill of Rights and the Act of Settlement, are well founded; I think it would be a waste of your time to enter into discussion upon a point upon which I can speak with no authority—upon which the highest and greatest authorities have been at all times divided. It is sufficient to say, that the noble Marquess himself, on the part of the Government, by the introduction of this Bill, has declared that great doubts do exist as to the proper construction of those statutes—it is not necessary to say more than that Government not only consider that great doubts exist, but that recognising that the practice for the last 180 years has been contrary to the interpretation which they seek to place on these statutes—the very form adopted in the Bills being in the form of an enacting Bill, enabling Her Majesty to do that which the provision of the Bill assumes She was unable to do—I say I will not enter into this question, nor into the historical details with which the noble Marquess favoured the House. The noble Marquess has correctly stated the circumstances connected with the accusation against Lord Castlemaine. But if the noble Marquess's attention has been recently turned to that period of history, he will not forget that the Duke of Somerset, on being desired by James to introduce the Nuncio of the Pope, declined to perform an act which he held to be contrary to the law of the land; and James, far from contending for the legality of the act, said that he should be prepared to grant a pardon beforehand. In reply, the Duke of Somerset stated, that a pardon granted before the commission of the act was no pardon. The noble Marquess seems to have assumed that up to the period of the passing of these Acts no legal impediment existed as to free communication with Rome. But the discussion of these doubts are needless, because the noble Marquess himself admits the doubts; he admits the construction placed on them is adverse to the view now suggested, and he brings forward this Bill to remove those doubts, and enable Her Majesty to do that which without this Bill She would be unable to do. My Lords, I will now proceed at once to the policy and to the principle of the measure. I must say that I think upon a measure of this importance, involving a change of the law, or at least a change of practice which has existed for a long period of time, if it was the desire of the advisers of the Crown

that Her Majesty should be set free from restrictions which they believed to be imposed by the statutes to which Her Majesty mainly owes Her right to the Crown of these kingdoms—I say that the proper, regular, and dignified mode of proceeding would have been for Her Majesty, in Her Majesty's Speech at the opening of Parliament, to have announced Her desire to be freed from those restrictions, and to have called upon Parliament for its sanction to such a step. It may be said by the noble Marquess, that at the period at which Parliament met it was uncertain whether, on consideration of the state of matters existing at Rome, it would be desirable or expedient to introduce this measure. Admitting that plea, at least it would have been proper to have sent down a Message from the Crown communicating in the most formal manner the desire of the Crown, or rather the advice of the Ministers of the Crown. Instead of that, however, when your Lordships' attention was about to be called to a subject of a totally different character—when you were about to discuss the price of sugar and the complaints of the West India planters—at the moment when I had risen to present a petition to your Lordships—the noble Marquess rose, and with no more ceremony than if he were proposing to lay a turnpike trust Bill on the table, announced to your Lordships, without preface or introduction, a Bill to enable Her Majesty to enter into diplomatic intercourse with Rome. The noble Marquess said that we had fair warning on this subject—that before Christmas he had informed the House of the intentions of Government. It is quite true that before Christmas, upon a casual incidental discussion, the noble Marquess did state his own opinion that it would be desirable, as a matter of policy, that the Crown should be enabled to enter into diplomatic relations with the Court of Rome; but I deny that there was any intimation or warning whatever of any intention on the part of the Government to propose such a measure to the House. Now I must say that that is not the manner in which such a great measure should have been introduced; and I trust that your Lordships will not permit a great measure of this kind to be hastily slurred over, before the people of this country have had due time to ascertain its real bearings. I say this for the interest of the measure itself. If I had the honour of being the Colleague of the noble Marquess, I should desire to have the fullest time given for the country really to understand that there was no danger lurking behind the apparent object of the Bill. I think even now that the noble Marquess might have stated to us something of those proceedings which have been going on at Rome—something of the peculiar necessity for the introduction of this Bill at the present time, and under present circumstances—something of the disposition which, I presume, although not officially, he had ascertained to exist at the Court of Rome with regard to diplomatic relations—something as to the concession to public feeling in this country—something as to the restrictions on the intercourse which it is the intention of the Minister to introduce—if restrictions there be. The noble Marquess may say it is impossible he can state to the House what has passed at Rome, because it is known that the very diplomatic intercourse which that involves is already assumed to be prohibited by the law of the land. It may be very convenient, but I do not think it very correct, that upon one occasion the Government should take one course, and then upon another occasion, in precisely similar circumstances, they should take another course, just as they happen to suit the purposes of the moment. If there be an unofficial and undiplomatic intercourse which cannot consequently be laid before your Lordships, I am at a loss to understand the production of certain papers to which I shall call your attention with reference to the mission of this very Earl Minto, and the negotiations of Earl Minto at the Court of Rome within the period of the last three months. I do not know whether the noble Earl has followed the precedent to which the noble Marquess has adverted. Looking at the document with which for a single moment I shall trouble your Lordships, I say that if there be any impediment at the present moment to diplomatic intercourse with the Court of Rome, Her Majesty's Government, and Earl Minto, and the noble Lord at the head of Foreign Affairs, are in a very unenviable situation; because I find that on the 22nd October, 1847, the noble Viscount at the head of Foreign Affairs addressed to Earl Minto official instructions to the following effect:—

"I have to instruct your Lordship, when at Rome, to endeavour to persuade the Roman Government to recall the Jesuits from Switzerland, or at least to take some decided step with regard to them which may be calculated to lay the ground for an avoidance of civil war in Switzerland. Your Lordship's own judgment and the

knowledge which, in your passage through Switzerland, you have acquired of the state of affairs in that country, and of the public feeling of the parties into which the Swiss nation is divided, will furnish you with better arguments on this subject than any which Her Majesty's Government can suggest; but of course your Lordship will not omit to press strongly upon the consideration of the Papal Government, that an ecclesiastical Power like that of Rome must above all things desire to prevent war, and to preserve peace among all mankind; and that in the present case the Pope has it in his power, by an exercise of his unquestionable authority, to remove at once a cause which threatens to involve a hitherto peaceful and happy nation in all the miseries and crimes of civil conflict."

These were instructions to Earl Minto, Lord Privy Seal, a Member of Her Majesty's Government proceeding to Rome, and to the post to which he had been appointed. Here is the answer of Earl Minto:—

"Rome, November 13, 1847.

"I have to acknowledge the receipt of your Lordship's despatch of the 22nd of October, approving of the language held by me to M. Ochsenbein in my passage through Switzerland, and directing me to urge the Papal Government to take steps for the removal of the Jesuits from that country. I have already had some conversation upon that subject with the Cardinal Secretary of State, whom I found not altogether averse, to a certain extent, to the interposition of the Papal authority, if by such means a conflict might be prevented in Switzerland. If the question rested entirely on the establishment of the Jesuits in Lucerne, I think that the assistance of the Pope might be obtained for their removal; but I have not been able to state that any thing short of the expulsion of that society from every part of Switzerland would satisfy the demands of the Diet. This the Pope is not prepared to require, and he is unwilling to give gratuitous offence to the Catholic canton of Lucerne by a partial interference there, from which no benefit might accrue. His advice is all that he has yet given on that subject; and it has, I fear, been given to those who are unlikely to listen to anything short of a command. If it be not too late, and Switzerland be not already the scene of war, I shall continue to press for the interposition of the Pope's authority, at least with regard to Lucerne."

Now, my Lords, we have this fact in the face of a law which Her Majesty's Ministers assume to prohibit all diplomatic intercourse with Rome, and the existence of which law, and the impossibility of carrying on an intercourse under which, renders it necessary to introduce an abrogation of the law. We have these facts. An official instruction from the Secretary of State to one of his Colleagues as to the language which he should hold to the Pope in transacting the affairs of another country—the proceedings of Earl Minto at Rome, furnished with the instructions, and founded on the instructions—his conversation with the Cardinal Secretary of State, officially reporting to Her Majesty's Government the consequences and the progress of the negotiations—and these papers, in the most authentic and official manner, are laid before both Houses of Parliament by Her Majesty's command. My Lords, if this be not diplomatic intercourse, I do not know what is to bear that construction; and if it be true that, under the law as it now stands, such diplomatic intercourse and such official publication be not penal, I am at a loss to comprehend for what possible reason your Lordships are asked to pass this Bill. But, then, I say this; the Government are in this dilemma: they cannot refuse to produce Earl Minto's reports of his communications with the Cardinal Secretary of State in reference to the passing of this measure, and the establishment of diplomatic intercourse, upon the ground that they are private and unofficial. This, then, is the state of things—that the noble Marquess is not, according to his own showing, prevented by the present state of the law from sending any person whatever, of the highest authority, one of his own Colleagues, a Privy Councillor of the Queen, for the purpose of representing the views of Her Majesty's Government at the Court of Rome; but if that be the case, then, my Lords, I say that all the arguments of the noble Marquess which are grounded upon the inconvenience of the present system, under the present law, of establishing relations with the Court of Rome, are absolutely swept away by the very course which Her Majesty's Government have pursued upon the present occasion. The noble Marquess went on to say, that at various times, and from time to time, there had been direct communications between this country and the Court of Rome; but what were the instances which he adduced? Instances that occurred at the time of an European war, when you required "*munitions de guerre et de bouche.*" Now I am not prepared to deny that there may be advantages and conveniences attending a direct recognised intercourse with the Court of Rome; but I concur with the right reverend Prelate that it is the duty of the Government and the Parliament well to weigh whether there may not be collateral disadvantages and inconveniences which more than counterbalance the advantages to be derived from that direct communication. My Lords, I must not be deterred, by fears of

trenching upon delicate ground from stating my view as to the difficulties which may meet you at the very outset. We all take an oath that no foreign prince, power, or potentate hath, or ought to have, any spiritual power or authority within this realm; and it is right that we should distinctly consider and not delude ourselves as to the meaning of that spiritual power and authority of the Pope. I take it that the meaning of that oath is, that the authority of the Pope is one which rests upon opinion alone—that it is not upheld, enforced, sanctioned, or capable of being enforced by the law of this country—and that if any one of Her Majesty's subjects were to appeal to a court of law against any attempted interference by the Pope in the exercise of such authority, the court of law would set at nought the assumed authority of the Pope, and at once grant relief to the subject. But there is nothing in the law as it at present stands, which precludes the Pope from communicating with any individual—from communicating with the prelates of his own Church, as in a recent case, advising with them, and pointing out the course which they ought to take. That spiritual authority of the Pope is admitted by the Roman Catholics of this country. That spiritual influence cannot be denied by your Lordships. It is idle to pretend then that it is merely as the sovereign of a comparatively insignificant State in Italy that you desire to enter into these diplomatic arrangements with the Pope of Rome. If there were nothing more behind, this Bill would be an idle measure, which no Government would think worth its while to introduce. Whatever the inconveniences of the present practice might be, those inconveniences would have been submitted to, rather than you would have run the chance of creating a great ferment in the public mind by an unnecessary invasion of what has been hitherto considered a great constitutional principle. But, my Lords, this is what you mean by this Bill. You know that the Pope has influence over your Roman Catholic subjects; and you seek to obtain an influence over the Pope, in order to prevent his interference with your Roman Catholic subjects being carried on in a mode offensive to you. Now that is, in plain English, the object of this Bill, and I think that Her Majesty's Government will hardly deny that it is so. Does that object, if admitted, recognise the spiritual authority and jurisdiction of the Pope? My Lords, I think that it does not. I think that it gives to those letters from the Pope, whatever they may be, no further authority than they possess at present. They will come, in spite of you, whenever the Pope may deem it necessary to address the people of his own Church; and undoubtedly there may be convenience occasionally in having a recognised channel at the Court of Rome, through whom you may make your representations that certain particular advice may be detrimental or otherwise to the British Government. Now, I hope I am stating this part of the case fairly and candidly. I am certainly stating it as it strikes me, and I at once admit that there are circumstances in which it may be convenient to have a recognised envoy at the Court of Rome. But, my Lords, have you weighed the disadvantages which at the same time attach to this course? You give, it is true, no more weight to the advice of the Pope than it has in the minds of the Roman Catholics at present; but if ostensibly or openly you communicate or advise with the Pope with reference to the instructions which may proceed from him, you do, in my opinion, either one of two things. You either give an unnecessary sanction to those instructions, or you interpose a fruitless remonstrance. The right reverend Prelate (the Bishop of St. David's) who spoke in such commendatory terms of the present Pope, said very truly that we could not be certain that his successors would be disposed to use their influence in the same way that Pope Pius IX. was exercising his. I believe Pope Pius to be an amiable, well-intentioned, and sincere man; but whether he be a far-seeing, wise, and prudent man, or whether he have not hastily and imprudently engaged in dangerous reforms, I think it would be premature for us to determine. This, however, I will say, that of late years no man has succeeded to the Papal chair who seemed disposed to carry with so high a hand the spiritual prerogative and spiritual power of the See of Rome—no man who would tolerate so little interference on the part of any temporal authority with his spiritual functions—no man so little likely to attend to any representations from a temporal sovereign. It is quite true that upon a recent occasion the interference of Pope Pius IX. in the affairs of Ireland was of a most laudable and praiseworthy character; but how would it have been if his advice had been of a different character? I take a recent in-

stance—the intervention of the Pope with regard to colleges in Ireland; and I must say, my Lords, that I look upon that as a most unfortunate interference on the part of the Papal See. I think it was ill-judged. I think if you had had relations with the Court of Rome you might have succeeded, possibly, in preventing the issue of those recommendations; but I think it is much more likely that, in spite of you, they would have been issued: and I say, then, that that would have been an act offensive to your Government, and that the Secretary of State would have found it extremely difficult to have abstained from withdrawing his Minister from that Court; and if that is likely to be so in the very first instance in which the Pope sets your recommendation at defiance, I ask if the result will not be infinitely more prejudicial to the good understanding between the Court of Rome and this country than if there were no diplomatic relations whatever between the two Courts? I say, then, my Lords, that I entertain very great doubts whether the advantages which may possibly be derived from the influence which your Minister may have at the Court of Rome, may not be more than counterbalanced by the danger of the antagonism in which you may be placed after you have established diplomatic relations. I do not go so far as my noble Friend (the Duke of Wellington) as to think that because Her Majesty's Government have laid this Bill upon the table of the House, we ought therefore, without hesitation, to give it a second reading; but I do say this, that if upon the responsibility of Her Majesty's Government a measure of this kind be submitted to the consideration of Parliament, I, for one, am not prepared upon the first day on which we have an opportunity of discussing the merits, objects, or character of the Bill, to refuse to enter into a further consideration of the measure—to refuse to consider such amendments as may be moved in Committee, keeping myself entirely open, after the amendments shall be introduced, to reconsider the whole question, and maintaining my perfect freedom of action either to support or oppose the Bill as a whole; and I do hope that if the Bill should go through a second reading to-night, and through Committee to-morrow, the Government will see the propriety of giving a considerable interval between the Committee and the third reading, in order that the country may have a full opportunity of considering its provisions. I do not think, my Lords, that any person has argued that it is an objection to this Bill that we recognise in the fullest manner, and in ample terms, the temporal sovereignty of the Pope in his own dominions; but when the noble Marquess goes a little further, and says that there is no question as to the reciprocity of such a recognition, I must beg leave to doubt whether that recognition has ever been made in terms consistent with the honour of the Crown of England. On the contrary, my Lords, I think that claims have been brought forward from time to time by successive Pontiffs wholly irreconcilable with the recognition of the sovereignty of Her Majesty. All the noble Marquess was able to state was—and I confess I felt surprised as I took down the words—that there never had been a refusal on the part of any Pope to recognise the sovereignty of any Monarch in this realm, "when it was convenient so to do." Why, my Lords, that implies, upon the other hand, that the Pope reserves to himself full power of abstaining from admitting that supremacy whenever it may be inconvenient for him to recognise it. My Lords, I entertain great doubts whether it is consistent with the dignity of a great country like this to enter into diplomatic relations with any sovereign without a clear, distinct, and absolute understanding, and the declaration of an entire admission of at least the temporal supremacy of the Queen in these realms; and if it should be proposed as an amendment in this Bill that such a distinct declaration and assurance should be insisted on, I shall feel it to be my duty to support that amendment. Again, is there any provision in the Bill giving the smallest safeguard as to the appointment of the ambassador from the Court of Rome? None whatever. But is there none required? If the Government think that there is not, then they differ in opinion from every other State, both Protestant and Catholic, throughout the civilised world. There is no State, however Catholic, whether Portugal, Spain, Austria, France, or any other, which does not by its own internal laws place restrictions on the exercise of diplomatic functions with the Court of Rome, which it does not seek to place upon the Minister of any other State whatever. But if it be necessary to adopt safeguards and restrictions in Catholic countries, in regard to diplomatic relations with the Court of Rome, it is still more necessary in a Protestant

country, and most of all is it necessary in a Protestant country like ours, where there is great danger of the legitimate authority placed in the ambassador degenerating into a dangerous exercise of spiritual authority. Undoubtedly we cannot say that the diplomatic relations between Prussia and the Court of Rome have produced so little embarrassment in the temporal affairs of that country as to make that a very encouraging precedent for us to follow; but in Prussia it was made a *sine qua non*—there was a distinct condition—that no ecclesiastic should be received as a Minister from Rome in the Court of Prussia. My noble Friend near me (the Earl of Eglintoun) has given notice of an Amendment, with the view of excluding prelates of the Romish Church from appearing as Ministers at the British Court; but Her Majesty's Government did not think it necessary to introduce such a provision into the Bill. I admit that there is a great distinction between the danger of having a Protestant envoy at Rome, and of having a Papal envoy in England; but if you impose no restrictions, I can have no hesitation in saying that the admission of a Papal envoy here, more especially if he is to combine with his diplomatic relations anything of a spiritual character, will be particularly dangerous to this Protestant country, and is calculated to excite the reasonable apprehensions of the people of this country. It may be that the privileges of an ambassador might not afford any additional facilities for the publication of bulls and rescripts from Rome. It may be so; but I think the people of this country will require to be satisfied that that is the case, especially when they remember that, by an Act passed two years ago, you abolished the penalties of *præmunire* upon the introduction of such bulls and rescripts from the See of Rome. This Bill, however, cannot be construed as admitting bulls which are at present prohibited from circulation in this country; and I say, when you are about to introduce a Papal Minister here, that if you are deprived of that safeguard which Roman Catholic States have considered necessary for the peace and welfare of their dominions, still more does it behove you to make it clear that by the admission of an ambassador from the Court of Rome no greater facility shall, at all events, be given for doing that which the law of this country at present prohibits. These, my Lords, are the points to which I was anxious to direct your Lordships' attention, some of them, perhaps, calculated to satisfy the apprehensions of people out of doors, rather than to meet any real or great danger; others, however, calculated to meet real and tangible dangers founded on the experience of other countries, all of whom, without exception, have objected to an unrestricted intercourse with the Pope of Rome. Whilst I am not prepared on the one hand to join with my noble Friend (the Duke of Newcastle) in giving a negative to this Bill in its present stage—whilst I have reason to hope from the candour and good sense of my noble Friend that he will abstain from pressing his Amendment to a division—and whilst I cannot refuse to give a reconsideration to the Bill—I wish to repeat that by allowing the second reading I do not pledge myself to any further support of it, and must again express a hope that in a matter of such importance ample time may be given between the Committee and the third reading for the full consideration of the subject by the people of this country.

EARL GREY said: In the first place I must express the extreme satisfaction with which I perceive that the noble Lord, with all his strong disposition to find fault—to scrutinise this Bill with a microscopic eye—to discuss every defect and every imaginary danger—that even he can find no greater fault with this measure than the manner in which it has been brought before you, and as to some points of mere detail; which latter objections arise, I think, from a misconception upon his part. The noble Lord began by finding great fault with the manner in which the measure was proposed, and stated that one of such importance, involving considerations of such serious political consequences, ought not to have been brought under the consideration of the House, without being in the first instance announced by Her Majesty in Her Speech from the Throne, or at least in a Message formally brought down from the Crown. That appears to me, however, to be wholly unnecessary. I do not think that a measure intended merely to clear up the state of the law upon such a matter, required to be introduced with all the formality for which the noble Lord appeared so anxious. My noble Friend (the Marquess of Lansdowne) merely exercised that privilege which belongs to all your Lordships, of introducing a Bill, of whatever importance, without notice. My noble Friend did not make any observations upon introducing this Bill; but I ask your Lord-

ships whether, in moving the second reading, he has failed to lay the case before you, fully, completely, and in a manner well worthy the importance of the subject? I ask you whether the case which he made out in favour of this measure, did not carry with it conviction to the mind of almost every one who heard it, and whether he has not proved in the clearest manner the necessity and policy of this measure? I really feel that I should be doing injustice to the able speech of my noble Friend, if I were to say more in order to recommend it to your Lordships' best attention. The noble Lord then complained of the shortness of time that is to elapse between the second reading and the Committee. Now I really am surprised at this objection coming from the noble Lord, for it was actually adopted at his own suggestion: the noble Lord said if time were given between the first and second reading, there could be no objection to take the Committee upon the next day after the second reading. To that proposition my noble Friend assented; and I certainly am astonished now that the noble Lord should censure the arrangement which he himself proposed. With regard to the interval to elapse between the Committee and the third reading, I should think the noble Lord and his party would not think it necessary that Government should give such an interval as would allow an opportunity to those who might be ready to try the hopeless task, to see whether the country could not be stirred up to a furious opposition to this measure. I know not whether any persons in or out of this House contemplate such a step; I can only say that the Government do not consider it their duty to allow more than the fair interval to elapse which Parliamentary usages require. The noble Lord quoted despatches which had been written to Lord Minto, together with Lord Minto's replies; and he argued from them that already there was a clear diplomatic intercourse between Rome and this country, and that if the penalties of *præmunire* were consequent upon that intercourse, those penalties had already been incurred. It was never pretended that Lord Minto was in Rome for his own pleasure. He is accredited there—he has most important functions to perform; but at the same time he has no regular and proper authority to act as the representative of the British Crown. But that is our case. The very case that we bring forward in favour of this Bill is, that a necessity exists, and has existed in all times of our history, for intercourse of a public nature between this country and the Court of Rome, and that intercourse taking place, it ought to be rendered legal, regular, and above all suspicion. For my own part, I think the manner in which it has hitherto been carried on is most unsatisfactory, not only by the present Government, but by every Administration for years past, even by the noble Lord himself. Communications have always passed between the Court of London and the Court of Rome, but, as my noble Friend has said, always in an indirect manner, until at last a state of affairs has arisen in which it is absolutely necessary that those relations should be placed upon a better footing. And, my Lords, I say, that unless your Lordships are prepared to say that Her Majesty's Government would have been justified in not taking any measures whatever, in the existing affairs in Italy, such as allowing communications of a diplomatic kind to take place with Rome, I am not aware that any blame will rest upon us. I do not think, however, it would have been right that Lord Minto should have received the instructions he did receive, if Her Majesty's Government had not contemplated the step they have taken in submitting the present Bill to Parliament, and putting this intercourse for the future upon a regular and proper footing. I believe, however, that even upon the most technical instruction the law has not been violated; still if it were the settled policy of this country to prevent intercourse between Rome and England, and the measure we have adopted were improper, I think it would be contrary to the spirit, at all events, of our policy. But that has not been the policy either of the present or of any preceding Government. In the clauses of the Bill— [Lord STANLEY: There are no clauses.] That, my Lords, is a remark of the same character as the other minute criticisms of the noble Lord to which I have already adverted. It is true the Bill consists of only one clause. At all events, with regard to an ecclesiastic being sent from Rome, as an ambassador to this country, it is remarkable that one argment used by the noble Lord upon that subject entirely destroys the force of all his other objections to the measure. He quoted the case of Prussia, which prevents an ecclesiastic coming into that country as an ambassador. Does that, my Lords, rest upon any law? No: it rests simply upon the pleasure of the King of

Prussia and his Government. They decline to receive an ecclesiastic. It is open to Her Majesty's Government, be they whom they may, in the same manner, if they find inconvenience to arise from the appointment of any particular person as as ambassador, to decline receiving him; but it does appear to me perfectly unnecessary, when that power exists in the Government, that an Act of Parliament should contain clauses specifying who are and who are not fit persons to be received. It would be found somewhat difficult, with all the noble Lord's extreme verbal ingenuity, to frame a clause (not clauses) to define who is a safe ambassador from the Court of Rome. I think, therefore, it is much better that it should be left to the responsibility of the Government for the time being to decide who should be received. I must confess I was also surprised at the noble Lord's argument, that because this is a Protestant State there was peculiar danger in our receiving an ambassador from the Pope. It appears to me that the probability is exactly the reverse. A Protestant state, I think, has very little to fear from that; a Catholic State, on the other hand, might have a great deal to fear. In point of fact, the danger, if there be any, to which the noble Lord adverted, arises from the circumstance that we are not all Protestants; but I think his apprehensions entirely unfounded. The noble Lord has also adverted to the Amendment which the noble Duke (the Duke of Wellington) has signified his intention of moving in Committee. With regard to that Amendment, I can only say that I entirely approve of it. I believe, in point of legal effect, the Bill as it stands would be perfectly safe; but I freely admit that, in a matter of this kind, "assurance should be doubly sure," in order to tranquillise the mind of the country. Accordingly, my noble Friend (the Marquess of Lansdowne) has been in communication with the noble Duke, and his Amendment will be introduced either into the preamble, or in the enacting part of the Bill (and I should prefer the latter), in the manner that may be considered most convenient. But, after all, the noble Lord, and the right rev. Prelates who have spoken, admit the expediency of opening diplomatic relations with the Court of Rome. One right rev. Prelate, however, (the Bishop of Exeter,) suggested that the proper course to effect that purpose would be, not to ask the House to assent to this Bill, but to proceed by asking the Judges to give their opinions as to what the law actually is. I beg to inform the right rev. Prelate, that, according to the forms of this House, if the Bill were not before it, it would not have been competent for us to have consulted the Judges. The Judges are not consulted upon any abstract questions; they are only consulted upon any question which arises in the course of the legislative or judicial proceedings of the House. Of course, therefore, the suggestion of the right rev. Prelate could not be entertained. I must also observe, that the right rev. Prelate, having admitted the policy of allowing diplomatic intercourse with the Court of Rome and the Court of England, described this measure as something too shocking to contemplate. But it all turned out to be an imaginary terror. The right rev. Prelate tells us that the Bill compels us to receive and send an ambassador, whether the Crown may intend to do so or not. Such is neither the purport of the Bill nor the intention of its authors. All that it is intended to accomplish, and all that it will accomplish, is to place the law clearly and undoubtedly upon the footing upon which the right rev. Prelate says that it now rests, namely, to make it lawful for Her Majesty to enter into diplomatic relations with the Court of Rome, if, upon the advice of Her Majesty's responsible Ministers, She thinks it expedient to do so.

The DUKE of RICHMOND was prepared to vote against the second reading of the Bill if his noble Friend (the Duke of Newcastle) should press a division, because there never was a time when the people of England ought to be less called upon to make concessions to the Roman Catholic faith. He put it to their Lordships, whether the concessions to the Roman Catholics of Ireland had been received in a proper spirit; whether, in point of fact, the more that was given the more was not demanded, and the more ungrateful they were found. He would request his noble Friend, however, not to divide the House, because in its present state the Government would have a majority which might go forth as representing the true feeling of their Lordships, and so prevent a liberal and constitutional Ministry from giving plenty of time for its consideration by the country. But they lashed the country to it. His noble Friends on the other side the House he had always thought to hold the doctrine that the people of England ought to be consulted upon measures

which affected their principles. He did not mean to say they had ever lashed the people to support and pass any measure which they considered improper. He felt, however, that this measure ought not to pass; but if their Lordships did go into Committee upon it, he would most willingly support the clause of which the noble and gallant Duke (the Duke of Wellington) had given notice. With his noble Friend (Lord Stanley), he thought it would be proper to prohibit ecclesiastics from being received as ambassadors to this country; and in Committee he would himself propose another clause for the purpose of preventing the ambassador from Rome, or any of his suite, under the privileges they would enjoy according to the law of nations, from distributing any bulls and recripts or other documents emanating from the See of Rome, which by law no subject of Her Majesty could distribute.

The Earl of ELDON denied that one single reason had been shown for the passing of this Bill. If noble Lords would take the trouble to analyse the arguments laid before them, he fully believed they would not find one reason why such a Bill should pass, and most especially no reason had been given why it should thus be hurried through the House without giving the country due time to consider its provisions. He hoped that if the voice of the country was not at that moment heard, it would not be supposed that the nation was insensible to the importance and probable consequences of the measure. A noble Lord opposite had spoken of a learned ancestor of his (Lord Eldon's) who had affixed the Great Seal to a document bearing some supposed analogy to the present measure. But he would undertake to say, that he would, in considering the present measure, have taken time to deliberate. It had been unanimously admitted by those who had supported the Bill, that all that could be done in the way of holding communication with Rome, was being done at this moment, and had been done for several years, without the sanction of the Legislature. He did not think the country had been treated, with respect to this Bill, in the manner it deserved. The noble Duke (the Duke of Richmond) had alluded to the empty state of the benches; but he hoped that the country would know that many on the Opposition benches had remained to the close of the debate, for the purpose of nobly discharging their duty, by voting against this Bill. Was there any reason why the noble Marquess should not postpone this Bill until the next Session, when notice of its intended introduction could be fairly given in Her Majesty's Speech? As they all knew that Rome had claimed supreme authority in this country, in matters temporal as well as spiritual—now, before the Government asked the Legislature to pass this Bill, let the Pope withdraw that claim; let official documents be produced from Rome, showing that Rome had resigned her unjust demands. When Rome had done so, he would listen as heartily as any one to such representations as might hereafter be made in support of such a Bill as this. If the House went to a division, he begged to say, that he, for one, would be found voting with the noble Duke who had proposed that the Bill be read a second time that day six months; but he left it to the noble Duke to say, whether, in the then state of the House, he would press for a division.

The Earl of St. GERMANS said, he gave his cordial assent to the Bill, not so much because upon a former occasion the Pope had afforded facilities for our military operations, but because he was the spiritual head of a religion to which many of Her Majesty's subjects in all parts of the world belonged. With regard to what had been said respecting certain Catholic priests in Ireland, he apprehended that if the attention of the Pope had been called at an earlier period to their writings and speeches, they would not have remained so long unnoticed. The assumption of the title "Supreme Pontiff," was of little importance; he regarded it simply as a matter of form, and he did not at all participate in the apprehensions of the right rev. Prelate who objected to the appointment of an ecclesiastic as ambassador from Rome to this country. He believed, indeed, the best representative that could be employed would be an ecclesiastic, because it was principally upon matters connected with ecclesiastical polity that the Government of this country would mainly have to deal with the See of Rome. In fact, he regarded the apprehensions to which he referred as idle and chimerical, especially as it was perfectly competent for this Government to receive any person as an ambassador or otherwise. It was competent for the Pope to send any number of missionaries here of the different orders; in fact, they were in actual existence at this moment, notwithstanding what the law said against them.

Was it to be supposed, however, that only the diplomatic agents of the Pope would be traced intriguing against the established laws and religion of this country? And were there not manifold instances of the representatives even of great countries having been arrested for violation of the laws of the countries to which they had been sent? Without supposing the accredited ambassador of the Pope would go the whole length which would justify his arrest, was there anything more easy, if the Government were dissatisfied with him, than to give him back his passports? Besides, this Bill did not compel Her Majesty to receive an ambassador from Rome; and if there were a less enlightened Pope than Pius IX.—one not disposed to listen to the representations of the British Government—the position of the British Government would be no worse than at present, for the Queen might at any time recall Her ambassador from Rome. Independent of general grounds, it was highly expedient that diplomatic relations should be opened with Rome. He referred, for example, to what had recently occurred in Malta between the late Governor and a Roman Catholic bishop. On the whole, therefore, he conceived their Lordships would not sanction the clause to be proposed by one of his noble Friends prohibiting the reception of an ecclesiastical ambassador. The clause of the noble Duke (the Duke of Wellington) was of a different nature; and he (the Earl of St. Germans) should support a declaration of the supremacy of Her Majesty in all matters, ecclesiastical as well as civil. In conclusion, he should give the Bill as it stood his willing support, and he hoped its framers would not permit it to be marred.

Lord REDESDALE expressed his conviction that it would be absolutely necessary to restrict the Court of Rome from sending an ecclesiastic; and if there was one point which supported that view, it was the argument that the spiritual authority of the Pope was recognised by a large body of Her Majesty's subjects in this country. The danger which would arise from an ecclesiastic being the ambassador was, that he might exercise spiritual authority over a large body of Her Majesty's subjects. All who professed the Roman Catholic faith would look upon him as invested with spiritual authority. That had been found a just ground of exclusion even in Roman Catholic States; and he was sure it would be found no less necessary in this Protestant country. No doubt could be entertained that the authority assumed by the Pope did derogate from the dignity and supremacy of the British Sovereign, and even from the temporal authority of the Crown. He, therefore, did not think it was right that Parliament should repeal laws founded upon such a state of things, without taking care that, on the other hand, this country received an assurance from the See of Rome that that Court did not lay claim to any temporal authority in any part of the Queen's dominions, and did not profess to exercise the power of absolving Her Majesty's subjects from their allegiance. For these reasons he should propose in Committee a clause to the effect that it should not be lawful for Her Majesty to receive any ambassador, plenipotentary, envoy, or other person from the Court of Rome, until after the Court of Rome had declared it did not claim, and that it distinctly disavowed, all temporal and civil jurisdiction, power, pre-eminence, or authority, directly or indirectly, within these realms.

The Marquess of LANSDOWNE, in reply, said he would leave it to the discretion of the noble Duke whether he would divide the House. Her Majesty's Government had not the least intention of making concessions to the Court of Rome by this measure. The grounds of it were, no concession to the Pope, but concession to expediency, arising out of necessity, and it was brought forward with no other purpose than that of promoting our own interest. He was extremely obliged to the noble Lord for having adverted to the visit of Lord Minto to Italy; and he begged to assure the noble Lord there was not one letter in the instructions to his noble Friend, nor one act done by him at Rome or elsewhere, which he was not prepared to defend, and to prove to have been attended with advantage to this country. It was that mission, indeed, which furnished the best, and strongest, and most unanswerable illustration of the necessity for this Bill. When the object was to prevent the dread of civil war breaking out in Switzerland, which might have agitated the whole of Europe, would the noble Lord, he asked, hesitate to take any step which was calculated to prevent such a result?

Lord STANLEY: That has nothing to do with the argument against this Bill.

The Marquess of LANSDOWNE: It has much to do with the objections which

you urged, as shown by the way in which the noble Lord quoted Lord Minto's despatches. Lord Minto was not received in Rome as a Minister. He carried no instructions as Minister to Rome; and it was in the power of the Pope or of the Cardinal Secretary of State to say to him at any time, "We do not acknowledge you as representing the Government of Great Britain; we will not attend to what you say; we will not attend to your advice because you have nothing to show us that you speak with authority." Would it make no distinction in this respect to have the present measure passed? Would their relations with Rome be the same after this Bill was passed as it was before? Did the noble Lord want them to accomplish by secret means what should be fairly and openly done? Her Majesty's Government asked Parliament to enable them to carry on the business of the country by open and avowed means, and not by indirect means to effect what they could not openly avow. He would say again, with respect to the mission of the Earl of Minto, that the noble Lord was accredited to Sardinia, to Florence, and also, at present, to Naples; and that, on his way from Florence to Naples, he passed some time in Rome, where his efforts, he (the Marquess of Lansdowne) would say, without hesitation, were most beneficial to the country. And he would add, that the necessity of the Earl of Minto proceeding without any distinct mission, or any direct authority from the Government of this country, to Rome, was in itself the best illustration that he could have of the necessity of adopting this measure. He had again to say, that he trusted their Lordships would agree to the second reading of the Bill without farther delay. In that case, he proposed fixing the Committee for to-morrow; and, in doing so, he hoped that he would not be accused of adopting too early a day for proceeding with the Bill.

On question that the word "now" stand part of the Motion—Resolved in the *Affirmative.*

Bill read 2ª.

House adjourned.

HOUSE OF COMMONS,

Thursday, February 17, 1848.

MINUTES.] PETITIONS PRESENTED. By Captain Pechell, from Sussex, for the Abolition of Church Rates.—By Mr. Bell, and other hon. Members, against the Jewish Disabilities Bill.—By Mr. Beckett, and several hon. Members, from a great number of places, in favour of the Jewish Disabilities Bill.—By Mr. Law, and Mr. Rufford, against, and by Mr. Blewitt, and other hon. Members, in favour of, the Roman Catholic Relief Bill.—By Sir J. M'Taggart, from Wigtown, for Alteration of the Law of Sites for Churches (Scotland).—By Mr. Hume, from Shoreditch, against the Sunday Trading Bill (1846).—By Mr. Headlam, from a great number of places, for the Repeal of Duty on Attorneys' Certificates.—From Paisley, against the Resumption of the Corn Laws.—By Mr. Hume, from Montrose, for Inquiry into the Excise Laws.—By Mr. Robinson, from Poole, for Rating Owners instead of Occupiers of Tenements.—By Mr. Beckett, and other hon. Members, from several places, for Reduction of Duty on Tea.—By Mr. W. Heneage, and other hon. Members, from various places, for Repeal of Duty on Windows.—By Mr. M'Gregor, from Glasgow, for Repeal of Duty on Class Room Windows.—By Mr. Herries, from Liverpool, for Repeal or Alteration of the Bank of England Charter Act.—By Mr. Forbes, from Stirling, for Repeal or Alteration of the Bank of England Charter Act, and Banking (Scotland) Act.—By Mr. Pilkington, from Members of the Royal Prince Albert Lodge of the Independent Order of Odd Fellows, Manchester Unity, for Extension of the Benefit Societies Act.—By Lord Dudley Stuart, from the Literary and Scientific Institution, John Street, Tottenham Court Road, respecting Mr. Robert Owen.—By Mr. Cobden, from Singapore, for Alteration of Law respecting Constables and Peace Officers (India).—By Mr. Cardwell, from Liverpool, respecting Fees in the Court of Chancery.—By Mr. Repton, from Hertford, for the Suppression of Dog Carts.—From R. E. Johnson, 20, Austin Friars, London, for Production of Papers respecting the Dover and Deal Railway Bill (1846).—By Mr. W. Miles, from Bath and Wells, for Alteration of Law of Education.—By Mr. Maxwell, from Cavan, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Busfeild, from Bradford, and Viscount Ingestre, from the Smethwick Temperance Society, for Sanitary Regulations.—By Viscount Ingestre, from J. R. Burton, Captain in Her Majesty's Royal Navy, respecting the State of our National Defences.—By Mr. Beckett, and other hon. Members, from several places, for Retrenchment in the Naval and Military Expenditure.—By Mr. Dodd, from Relieving Officers, &c., for a Superannuation Fund for Poor Law Officers.—By Sir J. M'Taggart, from Wigtown, for Alteration of Law of Prisons (Scotland).—By Lord Nugent, from Shropshire, for Abolition of Punishment of Death.—By the Earl of Lincoln, from Lanark, for Inquiry respecting Turnpike Roads, &c. (Scotland).—By Mr. Brotherton, and other hon. Members from various places, for referring War Disputes to Arbitration.

NOVA SCOTIA.

MR. HUME wished to put a question relating to the colony of Nova Scotia. A general election had taken place there, and he wished to ask whether it was the intention of the Government that in that colony responsible government should be carried out, as declared in Lord John Russell's letter.

MR. LABOUCHERE said, that he, perhaps, could best answer the hon. Member's question by stating what had actually occurred in the colony. An election took place in August, the result of which was that the Liberal party, which had previously been in a minority in the House of Assembly, obtained a majority there. The House of Assembly met on the 22nd of January, and the first thing it did was to pass a

vote of confidence in the Executive Council, which was conveyed to the Governor, Sir John Harvey, in an address. The Governor replied that he would adopt such measures as appeared to be expedient upon the occasion. Thereupon the Members of the Executive Council tendered their resignations, and Sir J. Harvey wrote on the 1st of February that he thought he would be able to form a Government without delay. From that statement of facts his hon. Friend would see that the principle of responsible government was in active operation in Nova Scotia.

THE BANK CHARTER ACT.

MR. HERRIES rose to move the following Resolution :—

"That, looking to the state of distress which has for some time prevailed among the commercial classes, and to the general feeling of distrust and alarm by which the embarrassments of Trade have been aggravated, it is the opinion of this House that Her Majesty's Ministers were justified, during the Recess of Parliament, in recommending to the Bank of England, for the purpose of restoring confidence, a course of proceeding at variance with the restrictions imposed by the Act of the 7th and 8th of Victoria, c. 32. That this House will resolve itself into a Committee upon the said Act."

In the event of the House assenting to the Motion for a Committee, it was his intention to move in the Committee the following Resolution :—

"That it is expedient that the limitations imposed by the Act 7 and 8 Victoria, c. 32, upon the Bank of England, and the Act 8 and 9 Victoria, c. 36 and 37, in relation to the issue of notes payable on demand, be suspended, subject to such conditions as may be provided by any Act to be passed for that purpose."

He had given notice of this Motion before the recess, but having then been unable to bring it before the House, partly on account of the very urgent Irish measures which occupied it, and partly by reason of the adjournment which took place on the day before that which was fixed for his Motion, he had now taken the earliest opportunity of doing so. He was not, however, without the hope that the discussion of the subject might be more carefully, because more calmly and dispassionately, conducted now than it would have been at an earlier period, when very great excitement prevailed respecting it. The propositions he had to submit to the consideration of the House were founded upon events which had occurred in the course of last year, and which were fresh in the recollection of the House. Those events, it was well known, were of the most calamitous kind, and excited more of alarm and misfortune, more deep distress and calamity, than had, perhaps, ever before been produced in the commercial world by any antecedent shock within the memory of any man. Perhaps there never was seen a more disastrous prostration of wealth and trade than had occurred in the period to which he referred. Extensive failures happened in the latter part of the year, which were the cause of wide-spread desolation and ruin. According to a statement which he found in a publication devoted to these subjects, and which appeared to be carefully prepared from authentic sources, 220 mercantile houses of the higher class, being a portion only of the total number of failures which had occurred, had fallen within the period of a few months, or, he might say, of a few weeks only. The liabilities of 85 of these 220 firms were estimated at 12,000,000*l.*, and the total loss occasioned by the whole of the failures was estimated at not less than 30,000,000*l.* Such an event as this in the history of a commercial country could surely not be passed over without exciting the utmost solicitude in every person, whether in the Government or in the Legislature, at all responsible for the administration of the public affairs, to ascertain the causes of such a monstrous calamity, and the best means of averting the recurrence of it. It was with this view that he proposed his Motion, which was of a twofold character, as it embraced two distinct propositions. But inasmuch as these separate resolutions were so interwoven by the nature of the subject with each other, that the fitness of adopting the one would mainly depend upon the grounds on which he should endeavour to establish the other, he conceived that he should best consult the convenience of the House by combining in one speech the arguments for both, and thus spare the House the inconvenience of being addressed by him a second time. He proposed therefore, in the first place, that the House should now express a distinct opinion upon the conduct of the Government when they took that important step by which the wide-spread ruin of the commerce of the metropolis was arrested, and which was announced as the most prominent topic of communication in the Speech from the Throne. He proposed that they should declare and record upon the Journals of the House, that the measure so announced was well-advised. And, surely,

some distinct expression of an opinion on this point was indispensably necessary for the dignity of the House and the regularity of its proceedings. Now, what was the position in which the House was now placed? Her Majesty had been graciously pleased to announce to them that her advisers had adopted a course which was certainly a very extraordinary one, however justifiable it might be found—the course of authorising the violation of an Act of Parliament recently enacted, of the most stringent character, having for its object and its very principle that of insisting, in the most rigorous degree, on the execution of its provisions. To that announcement the House had hitherto responded only by thanking Her Majesty for the communication. Since that time nothing had been done to ascertain or record the opinion of that House upon this most extraordinary proceeding—this undoubted violation of the law. It was true that it had been asserted, that, inasmuch as the strict provision of the Act had not been literally broken through, there was no such violation of the law as might require a Bill of Indemnity. Upon that point he had much doubt; but he would not discuss the question now, as his present proposition was limited to a simple expression of the opinion of the House upon the merits of the transaction. If the House thought Ministers were justified in the proceeding, it was right they should record their opinion to that effect. He was obliged to say, that Ministers had not in this matter dealt with the House with that frankness and openness which he thought necessary to be observed in such cases. There had been from the beginning an evident desire to avoid a debate on the subject, challenged as Ministers had been, on various occasions, to come forward and give explanations. On the very first night of the Session, there was a kind of rush on the part of the Chancellor of the Exchequer to give notice of a Motion for the appointment of a Committee, with a manifest desire to supersede the necessity of any discussion. Even that Committee, however, could not touch the question which his Motion brought under the consideration of the House; they could express no opinion in these respects as to the conduct of Ministers in violating the provisions of a most stringent statute, which had not been in operation longer than two years. In the discharge of his duty, he thought it right, therefore, to bring forward this subject, that the House might pronounce its judgment upon the conduct pursued by the Government in suspending the operation of the Bank Charter Act of 1844. And, presuming that the House would, without much difference of opinion, and certainly with no opposition from Her Majesty's Ministers, adopt his first resolution, approving of the course pursued by the Government, he would now proceed to the consideration of his second resolution, namely, that the limitations of the Acts of the 7th and 8th and 9th of Victoria, in relation to the issue of notes payable on demand, should be suspended, subject to such provisions as might be provided by any Act to be passed for that purpose. If the provisions of the Act of 1844 were not the chief cause of the embarrassments felt on the 25th of October, and which induced the Government to interfere, then indeed the step taken by the Government was not justified. But he believed it would not be difficult to show that the Government was justified by necessity, and that if it had not adopted the course it did, the commerce of the country within one week would have been prostrate. He would make a brief statement of the principal facts connected with the critical condition of commercial credit at the period now under consideration, and all of which were subjects of universal notoriety. The Bank was then in possession of gold in its issue department to the extent of about 8,000,000*l.* Its circulation (that is, its notes in the hands of the public) was something more than 20,000,000*l.*; the amount at which it had stood, with little variation, for some time past. In its banking department the deposits, public and private, were about 17,000,000*l.*; while the notes and coin in that department — the only available means for the payment of demands upon it, or for making advances on securities of any kind—were together not more than 1,600,000*l.*; the former being 1,170,000*l.*, and the latter something more than 400,000*l.* The very mention of these facts was sufficient to show the critical position in which the Bank was placed. A demand upon it for 1,700,000*l.* (at a time when the pressure for money was extreme) would have brought it to a standstill. It must have stopped its payment—pointing in vain to the 8,000,000*l.* of gold in its cellars. The alarm occasioned by the general knowledge of this state of things, acquired by the weekly publications under the Act, was such that credit was annihi-

lated; every man locked up his money, whether notes or gold. No man would lend, and that of itself was enough to produce the effect which finally obliged the Government, whether disposed to do so or not, to take steps to give relief by restoring freedom to the operations of the Bank. He was aware it had been said that this state of things was not the necessary consequence of the Act of 1844, but that it arose out of the ill-management and improvidence of the Bank of England. He thought it would not be difficult to show that this was far from being the case—that the evil was inherent in the Act itself—that experience had shown, upon more than one occasion, that the provisions of the Bank Charter Act must lead to the crisis which had occurred—and that no management, no skill, on the part of those who superintended the affairs of the Bank in times of difficulty, could avert the evil. He could not better enforce that view of the subject than by referring the House to the events of 1847, which led, at two different periods, to the same result—an embarrassment of the Bank, and the distress of the country. In the first period (between January and April, 1847), there was a great demand for the export of gold to foreign countries for the all-important object of purchasing food for this country. A considerable action consequently took place upon the bullion in the hands of the Bank, by which, however, it was not reduced to a lower point than 9,000,000*l.*; from which it rose again between the middle of April and the end of May to upwards of 10,000,000*l.* Throughout this period there prevailed no other cause for a foreign drain of gold from this country. There existed, therefore, no ground for apprehension on the part of the Bank; and if it had been left in the unfettered exercise of its own discretion it would, no doubt, have permitted the gold to go forth freely for the fulfilment of the great national purpose which could in no other manner be accomplished —well knowing that in due time it would return again to their coffers. But the Bank Charter Act forbad that salutary course. It imposed upon the Bank the imperative condition that every diminution of its stock of gold, from whatever cause it might proceed, should be counteracted by a restraint upon its issues. The Directors had therefore no choice but to put on the screw as it is called. The rate of interest was raised. A pressure upon commercial credit was created. That pressure was increased by alarm, and an action took place upon the reserve of notes and coin in the banking department which reduced it so low as to threaten a crisis such as subsequently occurred in October. On this occasion it was very narrowly avoided; and although the Bank just got through the difficulty, the commercial world suffered most severely by the efforts which it made. It had been said, and was said still, that all this danger and inconvenience had arisen from the mismanagement of the Bank Directors. Now, he had looked very carefully into the matter, and he could find nothing like mismanagement in the course they had pursued. It had been said, that the Bank ought to have increased its rate of interest more rapidly between January and April; but if that which he had now stated was a correct view of the circumstances of the case, that course would only have created greater distress and have produced a severer crisis. Before he proceeded to call the attention of the House to the second and more severe embarrassment which occurred to the Bank, and the consequent miseries inflicted upon trade, in the ensuing month of October, it was natural to consider what must have been the effect both upon the Government and the Bank of the awful monition presented by the fearful occurrences of April. It would be doing the greatest injustice to both of them to suppose, that either could for a day or an hour be unmindful of the magnitude of the danger to which, by the working of this Act, they were constantly exposed. He readily gave them credit for anxious solicitude and unabating vigilance to avert by the application of the utmost prudence and good management the renewal of the difficulties which they had so recently experienced. But all this prudence and attention were unavailing; and it might therefore safely be affirmed as a proposition requiring no farther argument or demonstration, that the second and more formidable explosion which so speedily ensued was the effect of the faulty construction of the machinery itself of the Act, and not of the negligence or indiscretion of those who administered it. He was, surely, warranted by these facts in asserting that the whole evil was in the principle of the Act itself; and because it was in the Act and not in the Bank or the Government, he felt it to be his duty to move the House to suspend the statute, and thereby prevent the otherwise inevitable recurrence of those fearful conse-

quences to the commerce of the country to which he believed it would always be exposed, while the Act of 1844 remained in force. He was extremely anxious not to lead the House into a debate on the general question of the currency. He was too well aware that if that topic were once entered upon, the House would embark upon an ocean of controversy, the termination of which it might not be easy to foretell. Such a discussion was wholly unnecessary for his present purpose, which was of a purely practical character. He merely invited the House to consider the principle and operation of the restrictive provisions of the Act of 1844, which was all that was required to convince the House that the evils which we were deploring, sprang immediately out of the working of those provisions, and were not attributable either to indiscretion in any quarter, or to mere accident of any kind. The principle maintained at the time of the passing of the Act, and which was immediately derived from the author of the theory on which it was built, was expressed in this short *dictum*: "The contraction of the circulation is to be made precisely coincident as regards both time and amount with the diminution of the bullion." This *dictum* was founded upon the assumption that the Bank possessed the power of increasing or contracting the circulation by a direct action upon it; that the variations in the amount of the circulation would increase or diminish the prices of commodities; and that, through these, the exchanges would be affected so as to regulate the export or importation of gold. In opposition to this theory he ventured positively to assert, that it was wholly inconsistent with fact, and was unsupported by experience; which showed that the extent of the circulation in the hands of the public was not directly regulated by the Bank; that prices were not governed by the amount of the circulation; and that the exchanges were not controlled by that mode of agency. On the contrary, it was now made manifest, by a careful attention to actual results, that the amount of the notes in circulation was determined by the wants and demands of the public, and that the Bank possessed no power, by a direct action upon it, to regulate the exchanges. It followed that the Bank was enjoined to do that which in reality it could not do; but in the endeavour to fulfil the injunctions of the Act of 1844, it had no alternative but to do that which in a time of difficulty and embarrassment must lead to a panic and a crisis such as they had recently experienced. The theory of the Bank Charter Act was, that the circulation ought to be regulated in accordance with the amount of bullion in the coffers of the Bank; and this point had been referred to both by the Chancellor of the Exchequer and by the right hon. Member for Portsmouth. Now, it was undeniably true that the circulation of bank notes had not conformed to the fluctuation in bullion; and the Chancellor of the Exchequer, pointing correctly to the fact, as exhibited by the published accounts, made it a subject of congratulation to the public, that even at the most trying passage of the late difficulties, the circulation had not been materially, if at all, diminished. Now, this fact was inconsistent with the theory propounded by the supporters of the Bank Charter Act. The right hon. Gentleman the Member for Portsmouth, with more ingenuousness than was displayed by the Chancellor of the Exchequer, observed, that there must be something wrong in this—something at least which he could not reconcile to the theory and proper working of the Act, when he saw that, although the stock of bullion in the Bank had been diminished to the extent of 8,000,000*l.* or 9,000,000*l.*, there was no corresponding contraction in the amount of the circulation. The right hon. Gentleman was undoubtedly right in his reference to the principle of the Act; but the Chancellor of the Exchequer was equally so in congratulating the public that the result had not been conformable to it; for, the rule being that for every million of gold abstracted, an equal amount should be drawn from the circulation, and there having been 9,000,000*l.* of gold exported between the autumn of 1846 and April 1847, in what state would the country have been if 9,000,000*l.* had also been abstracted from the circulation? The 20,000,000*l.*, or thereabouts, which it usually required, would, in that case have been reduced to 11,000,000*l.* This showed, if anything could show, the inherent faults and errors in the Act. In the second of the periods to which he had alluded—in October last—the Bank of England undoubtedly was brought to this absurd and lamentable catastrophe, namely, that with 8,000,000*l.* in its cellar, it would have been, but for the interference of the Government, compelled to stop payment. If he was told that the Bank might, in order to replenish their

reserve, have taken their securities into the market, the answer was, that securities of all descriptions were then unsaleable; and even if they could have been sold, it must have been at such a price as would have broken down the property of a large portion of the community. If they had brought Government stock into the market, the Three per Cents might have been at 50. He had stated that he considered that there had been no mismanagement on the part of the Bank. He knew that they were accused of having discounted bills at too low a rate of interest in 1844; but the Act of that year, which imposed upon the Directors such severe restrictions with respect to their issues of notes, set them perfectly at liberty with respect to their banking department. They were told that while they must strictly conform to the provisions of the Act to secure the convertibility of their notes, they might and ought, as bankers, to act as prudence suggested for the advantage of their constituents. His right hon. Friend (Sir R. Peel) expressed an opinion to that effect—an opinion which, like every other opinion which proceeded from his right hon. Friend, was entitled to the greatest respect. He believed that, previously to the Act of 1844, the Bank had never discounted under 4 per cent; but although he might himself greatly doubt the propriety of the Bank lowering its rate of interest so as to run a race of competition with the private discounters for the benefit of its own constituency, the framers of the Act in question had no right to complain of the reduction to $2\frac{1}{2}$ per cent, because that reduction did, in point of fact, produce no effect whatever on the amount of bullion in the Bank coffers. A very short time before the Act passed, there was 16,300,000*l.* of bullion in the Bank of England. From that time up to the middle of the year 1845, no material variation took place; but in June in that year, it had risen to 16,600,000*l.*, the highest amount that ever was known. His right hon. Friend (Sir R. Peel), when in 1845 he reviewed the intervening period between the passing of the Act of 1844 and the period at which he spoke, expressed himself satisfied with the progress and position of affairs; and indeed they were flourishing in every way. If the Bank had in the meantime done wrong, and had deviated from the principles of the Act of 1844, he was quite sure that his right hon. Friend would have complained of it. Now, at what other period was it that imprudence was alleged against the Bank? If anybody would take the trouble of following up the progress of the bullion, and watch its increase and diminution, he would find that the Bank did reduce or increase their rate of interest just as the bullion rose or fell. They continued to discount at $2\frac{1}{2}$ per cent till November, 1845, when there was a sensible decrease in the bullion, which only amounted to 13,700,000*l.*, and the Bank consequently raised their rate of discount to $3\frac{1}{2}$ per cent. From that period the bullion remained steady, and the rate of interest the same, until August, 1846, when the bullion rose to the imposing sum of 16,366,000*l.*, and the rate of discount was diminished to 3 per cent. From August, 1846, till January, 1847, the bullion did not vary in a very sensible degree; sometimes it was rather higher, and sometimes rather lower; but in January, an action on gold manifestly began, the bullion fell to 13,949,000*l.*, and the Bank raised its discounts to $3\frac{1}{2}$ per cent. In the following week, seeing that the action on gold continued, and that the amount had gradually decreased until it reached 9,867,000*l.*, they raised the rate to 4 per cent, and subsequently to 5 per cent. He thought, therefore, that if the House looked to the rate of interest charged by the Bank, and found it rising and falling as the bullion rose or sank, they would discharge the Directors from blame in respect of imprudent changes in the rate of discount. He would now advert to the very important point of the supposed security afforded by this Act for the convertibility of the bank note. He entirely denied that the Act ensured that object. He knew that it was upon the effect of the Act in this particular respect that its authors and advocates chiefly relied, and that their opinions were founded upon the theory on which it was constructed. When he avowed himself convinced that that theory was fallacious, and that the conclusions at which they had arrived were erroneous, he was aware of the great weight of authority to which he stood opposed, not only of persons of much talent and ability out of doors, but also of the large majorities of the two Houses of Parliament by which the Act had been approved of and passed. But although he was almost overwhelmed when he contemplated the magnitude of this adverse authority, his convictions were nevertheless so clear and positive that he was compelled to assert

them. He would ask, then, what proof there was that the Act of 1844 had secured the convertibility of the bank note under the severe pressure of the two critical periods of April and October, 1847? It was observed that in each of those cases the Bank had still retained a large stock of gold—the best assurance of its ability to maintain the convertibility of its notes. But it ought to be borne in mind that in the year 1846, before the time at which the action on its gold had commenced, the Bank had possessed the largest stock of gold that it had ever held—more than 16,000,000*l.*; and although it was true that about half that amount still remained after the pressure in April and October, it was also true that the amount which had been withdrawn from it was equal to the largest quantity that had been abstracted in any former crisis of a similar character; the difference being, that on those occasions (he referred particularly to 1825) the action on the gold commenced when the stock on hand scarcely exceeded the amount which in 1847 was withdrawn, and that the exhaustion was consequently nearly completed. It was clear, therefore, that no conclusion in favour of the power of the Act to secure convertibility could be drawn from these facts. And upon what ground could it be asserted that the farther exhaustion of the gold in the Bank was prevented by the Act of 1844? He would suppose that the Government had not determined to suspend the law in October, 1847, when the panic was in full force: what would in all probability have been the consequence? The internal drain of gold would have been increased by the increasing fears and commercial alarm and distrust in all parts of the kingdom; and the Bank might have been deprived of its last sovereign in the convulsion which must have ensued upon the discredit occasioned by the stoppage of the banking department. Such being the dangers and vicissitudes to which the operation of the Act of 1844 gave rise, he contended that the monetary system as it existed prior to the passing of it was safer, under all circumstances, than the present one. He would endeavour to show how the Bank might have acted, if unfettered by the Act of 1844 in the two critical periods of danger in 1847. In the former of these—between January and April—at the commencement of which they possessed fifteen millions of bullion, they would have looked at the causes which produced a gradual diminution of that stock. They would have observed that the Continental exchanges were not materially affected; that there was no drain in that direction, except for a supply of food; and that the principal efflux was towards America for that object. Under such circumstances, they might have exercised a sound discretion in not creating alarm or cramping commerce by too severe a counteraction of the movement of the gold. The severe pressure of April might have been avoided; and if the alarm and excitement of that period had not been created, the subsequent drain to the interior, which prevailed from the month of May to the 25th of October, might never have existed at all. In the second period (after the beginning of May), the export of bullion had ceased, and the exchanges were in our favour. The action upon the gold of the Bank was for an internal demand only, and therefore the effect of want of confidence, which would have best been restored by a readiness on the part of the Bank to give assistance to commerce, instead of withholding it, as they were compelled to do. He therefore had a right to assume that if the Bank had been in the same position as they were before the Act of 1844, they would, by the exercise of a sound discretion in the employment of all their resources, and taking a wise view of all their liabilities, have passed through the period without any shock or danger; but in consequence of that Act they were reduced to the most miserable exhibition of riches and distress which this country ever witnessed. This lamentable exhibition had occurred twice in one year, and that, too, under the joint supervision of the Government and the Bank, who had full warning of the danger, and were therefore not taken by surprise. The Bank and the Government had taken charge of the monetary affairs of the country; with a full knowledge derived from the occurrences in April of the dangerous character of the machine which they were working; and yet, with all their care and attention, within six short months it exploded in their hands. Was the House to continue to trust to the working of such an instrument, even under the wisest management? He did not intend to impute any want of skill or prudence to Her Majesty's Ministers. He believed that no other men would have done better in their places. It was the system—it was the Act—that was in fault. The Ministers had avoided a de-

cision upon its merits in this House. They had transferred the matter to the investigation of a Committee — a Committee which some thought might be of endless duration; but he was inclined to believe that Ministers expected that, after a considerable lapse of time, the report of that Committee would lead to some changes in the measure, in such a way as might cover an apparent defeat, and evade a direct recognition of its fundamental defects. Now, he thought that would be a course much less satisfactory, even to themselves in the end, than at once giving some remedy such as that now proposed. He had now attempted to show what was required as a measure of relief in present circumstances; and he hoped and trusted the House would not refuse it. He asked them to place matters in this country, as regarded trade and commerce, in a position of safety. They were, beyond all question or dispute, at present in a state of great danger; they had hanging over them the possible return in a short period of renewed commercial distress, with all its lamentable consequences; and he could tell them that the apprehension of such a result was almost universal, and that it was sitting like an incubus on the springs of confidence and credit. He had still, however, great faith in the commercial enterprise and activity of this country. He could not doubt that that commercial activity and enterprise would spring again to the height from which it had so lamentably fallen; but it would not be under the provisions of this Act. He much regretted to be compelled to add, that it was not only in this part of the country that the ill effects of these monetary regulations had been experienced. He believed the representatives from Scotland would be able to confirm a belief he strongly held, that in that country there had also been great dissatisfaction with the provisions of the Act. He always regretted that the right hon. Gentleman (Sir R. Peel) had resolved to interfere with the system of banking which had so long and so beneficially prevailed in Scotland. His object, as enunciated by him, was undoubtedly to secure a larger metallic basis for our monetary system, by compelling the Scotch and Irish banks to take their part of the burden in sustaining that system; but he thought there had been a great mistake in that conclusion. He did not believe that this compulsory distribution of gold throughout the country had added anything to the amount of the precious metals in the United Kingdom. He apprehended that it only had the effect of causing a separate allocation of them, instead of their being concentrated as at present in the coffers of one bank. The gold was now distributed partly in Scotland, partly in Ireland, and in other private banks throughout the country; but that he regarded as a disadvantageous state of things, as he contended that for all the purposes of securing the convertibility of the notes it was more advantageous that the Bank of England, as the great central bank of the kingdom, should be in possession of the bullion, than that it should be spread throughout the other banks of the country. If the additional 3,000,000*l.* that had been thus lodged elsewhere, had been wholly available by the Bank, it would have placed them in a stronger position to meet the wants of the commercial community during the late panic. His main objection was to that provision of the Act which assigned 14,000,000*l.* as an impassable limit to the credit circulation of the Bank. He was convinced that any such specific limitation would be found ultimately as impracticable as it was unwise. If as had been said, nature abhorred a vacuum, political economy equally abhorred a maximum. He would not go into any further or more minute consideration of this question, nor was it his object to propound any theory. He was only asking, for the safety of the commerce of this country, labouring and prostrate as it yet was, that they should accede to his proposal of an immediate practical relief. He asked it for the sake of the industry of the country — for the sake of those manufacturing districts that were now labouring under the severest depression, and which suffered in a peculiar degree from the pressure of this Act; for without confidence and commercial credit there was no facility for the export of goods; and without exports there was no employment for the manufacturer. He asked it on behalf of all the moneyed interest—not of those who had been accumulating large fortunes through the vast fluctuations in credit and capital caused by this Act—but on behalf of the moneyed interest engaged in the commercial and manufacturing industry of the country. He entreated the House to place these various interests, at least, in that comparative state of safety—indeed, he might say complete safety—in which they were

before the passing of this Act. He entreated the House to suspend of this Act only so much as might remove the positive restrictions on the amount of credit-paper which might be issued. There were many other provisions of great consequence, which at present he had no intention to discuss; but if Parliament should consider this whole measure, and determine on some new system in place of that which now existed, he, for one, would have no objection to enter at any time into the consideration of it. Before he concluded, he ought perhaps to remark that with regard to the first of the Motions which he should propose, it might be objected by some parties that they were not quite satisfied with the conduct of Her Majesty's Government—that they were not quite prepared to express an opinion favourable to the course they had pursued in regard to the suspension of the Act. Their objection might be, that Government should have interfered sooner, and that if they had done so much mischief would have been averted. He was undoubtedly of opinion that if that Act had been sooner suspended, we should have been saved much misery; but at the same time he believed that Ministers could not be expected to suspend the law till the very last extremity. As an objection to his second proposition, it might probably be urged that this subject was under investigation before a Committee, and that that Committee would report at no distant time. Of course, he could not expect those who entertained so improbable an opinion to give him their vote on the present occasion. It might be urged as another objection to his Motion, that Parliament being now sitting, might interfere in any emergency, and that Government having already interposed to suspend the Act, might be expected to do so again. But no reliance should be placed on these expectations. They had no assurance that the sittings of that House might not soon cease, and they could not tell whether Government would be disposed to take the responsibility of again putting aside the Act, while, if they did, their interference might again come too late. In conclusion, he would say that he saw no other course likely to secure the present safety of the commerce and credit of the country but that which he now proposed, and which he hoped would receive the sanction of that House.

Mr. HASTIE seconded the Motion, with a feeling of the strongest conviction of its necessity. It was quite clear, that if this Act were permitted to remain, whenever we had any disturbing cause, such as a short harvest or a foreign loan, ruin to all would be the consequence, unless the Government again set aside the law by a suspension of that Act. Had not the Government stepped in to relieve the monetary system of the incubus imposed on it by artificial restrictions, no language could describe the disastrous results that would have followed. But the calamities of last year only gave a foretaste of what might be expected in coming years if those absurd and impolitic restrictions were not removed. Whenever there was a drain of bullion expressly for the purpose of importing from foreign lands food for our people, the same thing would occur that took place last year. Everywhere there would be confusion, distraction, and distrust. It was a mistake to suppose that the effects of the late panic had as yet subsided, or that they were limited to this country. In the present state of uncertainty merchants were afraid to risk their capital. So far as the East Indies, China, and America were concerned, no merchant would come under the usual acceptances at six months for the export of goods, fearing as they did a recurrence of the disasters which they had so lately witnessed. If the Act possessed any utility, as those who promoted it would have them believe, still he contended there was no occasion whatever for its continuance. It had in no degree bettered our position. Down to 1844, when the Act came into operation, the Bank of England had never reduced its discounts below 4 per cent. The Directors were then told that they had nothing to do but as bankers to attend to their own business; and therefore, having a large amount of notes in the banking department, they naturally and properly took steps to turn those balances to the best account, by reducing their rate of discount to $2\frac{1}{2}$ per cent. The consequence was to bring to the Bank of England all the short bills having less than ninety days to run, while the brokers discounted the six month bills at $2\frac{3}{4}$ per cent. This produced an extension of credit and that undue speculation which succeeded. The Act of 1844 had done all this, and would do so again. When money was plentiful, it rendered it more abundant; and when money was scarce, it aggravated the scarcity. In that respect no Act of the Legislature could have a more mischievous effect on

the commercial interest. The Act of 1844 created a greater fluctuation in the rate of interest than ever existed before. All fluctuations in the rate of interest were highly detrimental in a commercial country. A rise of one-half per cent in the discount of the bills circulating in this country to the amount of 600,000,000*l.* a year, was a charge of 20,000*l.* a month on the commercial interest; but the rise in the rate of discount had been not one-half per cent, but 3 and even 4 per cent. If anything could convince the House of the impolicy of the Act of 1844, it was the speech of the right hon. the Chancellor of the Exchequer in moving for the appointment of the Committee. He stated that he had seen deputations from various parts of the country, and heard the suggestions they were prepared to offer by way of remedy, some proposing the issue of 4,000,000*l.* of paper, and others an advance by Government on goods hypothecated by merchants; but after hearing all their plans, and giving his undivided attention to the whole subject, he had come to the resolution that nothing would do but a suspension of the Act itself. Such was the magic of that suspension that cashboxes which had been locked up, containing large amounts of notes, were immediately opened, confidence was restored, and not more than 400,000*l.* was required from the Bank of England. Nothing could be more condemnatory of an Act, which had already proved well nigh the total destruction of credit, and the continued operation of which would involve the ruin of half the commercial classes in the country. He had great pleasure in seconding the Motion.

The CHANCELLOR OF THE EXCHEQUER: The right hon. Gentleman at the outset of his speech stated truly, that although it might be somewhat inconvenient to listen to two speeches from him, yet the two portions of his Motion were nevertheless perfectly distinct in their nature, and had not necessarily any connexion with each other. Certainly no person reading his resolutions could entertain any doubt on this subject. One of his propositions is an expression of approval of the course which the Government took in October last; and the other pledges the House to an opinion that the Act of 1844 and the Act of 1845, for regulating the issue of bank notes in the United Kingdom, should forthwith be suspended. No doubt it is perfectly possible that we may have been right in suspending the Act in October, and yet it might be wrong to suspend it now; on the other hand, we may be blamed for what we did then, and nevertheless it may be right to suspend the Act now. I shall, however, follow the course of the right hon. Gentleman, and refer to both resolutions in one speech, because I think it would not be expedient to have a separate discussion on each. The right hon. Gentleman said that we evaded the discussion of this subject on a former occasion. I really don't know what he meant by that assertion, because we certainly gave the fairest opportunity for discussion when this subject was last under the consideration of the House. I stated at considerable length—greater, I am afraid, than the House was disposed to think altogether agreeable—the views which the Government entertained, and I invited discussion on the subject. For three nights was the question debated—twenty-two Gentlemen expressed their opinions upon it—and simply from the unwillingness of other parties to speak, the discussion was brought to a close. The debate might have gone on to any length to which hon. Gentlemen were willing to prolong it. With regard to the resolution of the right hon. Gentleman, expressing approbation of the conduct of the Government, of course I cannot say that we were wrong in what we did. My opinion at the time was, that we were right; and, upon subsequent reflection, I remain of the opinion, that, in the circumstances in which the country was then placed, the course we adopted was the proper one. We did not, and do not, think it necessary to ask for any expression of approval of our conduct. During the former discussion on the question, no person blamed the conduct of the Government. So far as I remember, during the whole of the debate many hon. Gentlemen expressed their approbation of what we did; but no one blamed us. I might ask, then, *Quis vituperavit?* We were perfectly content with that general opinion, and do not seek any more formal expression of approbation from the House. If it should be thought necessary to pronounce the approbation expressed in the first resolution, we of course shall receive it with gratitude; at all events, I cannot oppose a resolution approving what the Government has done. With regard to the second resolution, I cannot express the same opinion. I think it an ill-timed and in some respects a mischievous

resolution. I consider it would have been advisable not to move it. I hope the right hon. Gentleman will not persist in his Motion. If the right hon. Gentleman withdraws the second, Her Majesty's Government will be well content that he should withdraw both his resolutions together; and I will not complain of his not persisting in his approbation of our conduct. The right hon. Gentleman proposes to suspend the Acts of 1844 and 1845, that is, those laws under which the issue of bank notes throughout the country is at present regulated. That suspension may of course be either temporary or permanent. The right hon. Gentleman left us in doubt which of the two he intended. Taking them separately, it does not seem to me that the slightest case has been made out by the right hon. Gentleman for a temporary suspension. The right hon. Gentleman has stated very fairly that the alarm both in April and October last arose from the state of the reserve in the Bank of England. I entirely concur with him in that opinion. I believe that in April the restrictive measures which the Bank took were rendered necessary by the low state of the reserve; and although the alarm and failures which took place in August and September, were, as I formerly stated, neither caused by the conduct of the Bank of England nor by the operation of the Act of 1844, still, a larger reserve in the Bank might have rendered the issue of the letter of October 25 unnecessary. I do not wish to advance any controvertible position; but there can be very little doubt that the commercial distress was caused to a great extent by the want of that accommodation in the shape of discounts which the merchants had previously enjoyed. There was a great abstraction of floating capital, partly for the purchase of food and partly for the construction of railways, and to that extent the available means of discount had been curtailed. In the course of the autumn more than one bill-broker either stopped payment or suspended operations, and the consequence was that demands for discounts were made on the Bank of England, quite unexampled in former years. The amount of bills discounted by the Bank of England in October last was double that of October preceding. In the two or three months previous to October the Bank of England increased the accommodation to the public to the extent of between 6,000,000*l.* and 7,000,000*l.*; they reduced their reserve to the point stated by the right hon. Gentleman; and great apprehension prevailed on the part of the London bankers and other parties that the Bank of England would no longer be able to extend to them further accommodation. In that state of things they apprehended that discounts could neither be had at the Bank of England nor from the bill-brokers. A panic was thus produced by the low state of their reserve; and the real effect of the letter of the 25th of October was to place the Bank of England in the same position as if there had been a larger reserve. Confidence was restored, parties believing that they could obtain assistance from the Bank if they asked it. In point of fact they did not want it, the whole amount of assistance asked for being under 400,000*l.* I do not mean to blame the Bank for reducing its reserve, or say that parties were justified in looking to the Bank for assistance. I wish to avoid all points which can be disputed; all I say is—and that, I believe, no one is disposed to deny—that it was owing to the low state of the reserve that apprehension was entertained. Now, what is the state of the reserve at the present moment? According to the return which appeared in the *Gazette* last Friday, the notes and coin amounted to 8,685,000*l.* I received just before coming into the House the weekly account sent into the Treasury on Thursday, which appears in the *Gazette* on Friday, and I find from that statement that on Saturday last the notes and coin amounted to 9,686,000*l.* The most timid merchant—the most timid man in England, can be under no apprehension that the Bank will be unable to meet any demand that can be made upon it. Though very slowly, yet I believe trade and commerce are gradually reviving, and there is no probability of any demand being made which a much lower reserve would not be able to meet. There cannot, therefore, be the slightest need of any temporary suspension. The Motion of the right hon. Gentleman first stood for the 14th of December. If there had been a very low reserve, great pressure, and an improbability of the Bank being able to meet the demands upon it, there might have been at that time some cause for moving such a resolution as this. On the 18th of December, however, before Parliament separated, the Bank had a reserve of eight millions and a quarter; and I think it will not be said that there was even then any probability of any immediate

demand for bullion; but certainly at the present time, with a reserve of above 9,600,000*l.* in its coffers, we cannot contemplate the possibility of any demand upon the Bank which it would not be perfectly able to meet. If such a case should arise, it is competent to Her Majesty's Ministers to come to Parliament and to ask for such powers as they may think necessary; and if they did not do so, it would be competent to the right hon. Member for Stamford, or any other Member of this House, if they thought fit, to move resolutions condemnatory of the course pursued by the Government. I think, then, that not the slightest case has been out for the temporary suspension of the Acts of 1844 and 1845, and that there is no need to call upon the Government to provide against a danger which appears to be of the most problematical character. But the right hon. Gentleman indicated more than a mere temporary suspension of these Acts; and I must say, I think it would have been much better if he had moved at once for the repeal of the Acts, instead of asking for a permanent suspension, which, if it means anything, means repeal. I think he ought at least to have moved for the repeal of so much of the Acts as he conceived ought not to remain the permanent law of the land; but under the guise of suspension the right hon. Gentleman proposes a virtual repeal of the law. I must say that to move for a virtual repeal of the existing currency laws, when a Committee which was unanimously appointed by the House to inquire into the operations of those laws, and to consider whether any alterations or amendments should be made in them, is at this moment pursuing its investigations, appears to me to be a course which completely stultifies the proceedings of the House. In our schoolboy days we read of a judge who decided first and heard the case afterwards; and this seems to be pretty nearly the course proposed to be adopted by the right hon. Gentleman. Many Gentlemen consider that alterations may be made in these Acts with advantage; but various opinions are entertained on the subject, and various amendments in them have been suggested. I may here observe, however, that the right hon. Gentleman was in error when he stated that numerous deputations have waited upon the Government to recommend amendments in the law. The fact is that we received only two deputations—one from Liverpool, and the other from Birmingham. The opinions entertained with reference to the proper substitute for the Acts of 1844 and 1845, differ most widely. The right hon. Member for Stamford might be satisfied with the mere suspension of those Acts; but I see an hon. Gentleman near him, who, I believe, would consider that no substantial benefit was gained unless we meddled with the Act of 1819. It has been said that the Act of 1844 was the necessary complement of the Act of 1819; and that opinion is entertained by many Gentlemen, who consider that unless we repeal the Act of 1819 as well as the Act of 1844, we shall effect no substantial good. The Committee to which I have referred, and which was recently appointed by the House, comprises Gentlemen entertaining various shades of opinion on this question; and I hope that from their inquiries we shall obtain much valuable information; but the right hon. Gentleman calls upon us before we receive that information—before we know even what the facts are in many respects — to decide the matter at once. Of course the right hon. Gentleman will follow up this Motion by another to rescind the resolution of the House under which that Committee was appointed; for it would be a useless waste of labour for that Committee to continue their inquiries when the House had adopted a decision which would render them useless. The right hon. Gentleman observed that it was essential that we should know correctly what was the state of the Bank of England at the period which has been referred to, and for some time previously — that we should know what had been the conduct of the Bank, and its position, during the preceding eighteen months. Well, before the Committee we are to examine the Governor and Deputy Governor of the Bank of England; and I doubt not that we shall obtain, from those able and intelligent Gentlemen a full and complete statement of the conduct of the Bank for years back. But, when it is admitted that these disclosures are necessary, in order to enable us to form a just opinion of the conduct of the Bank, and of the value of the Acts of 1844 and 1845, it does appear a most premature proceeding to call upon the House to come to a decision upon those subjects before we are in possession of this information. The right hon. Gentleman stated that he was very anxious to avoid a general discussion on the currency, and upon that point I entirely agree with him; for I

think, to use his own metaphor, that to commence a discussion upon that subject at this period of the Session would be to embark upon an ocean in which I know not where we should find a haven or reach a shore. If the discussion on the currency had been continued before Christmas, no particular inconvenience might have been occasioned, for at that time there was no heavy pressure of business; but now, when it is absolutely necessary that public business should be proceeded with, very great inconvenience would be occasioned by a currency debate, which might be protracted, as currency debates usually are, for four or five nights. To-morrow my noble Friend (Lord J. Russell) makes his financial statement; the time has arrived when the estimates must be voted, and when the proposals of the Government with respect to taxation must be submitted to the House; and it is most important that we should proceed with this business without delay. I do hope, therefore, that the House will not encourage the commencement of a long debate on the subject of the currency. There are, however, one or two points in the speech of the right hon. Gentleman to which I wish to advert, merely to correct any misapprehension which may exist with respect to them. He has said, that the promoters of the Acts of 1844 and 1845 blamed the Bank for having reduced the rate of discount to 2½ per cent in 1844. I do not know who the promoters of those measures are to whom the right hon. Gentleman referred; for, to the best of my recollection, none of the promoters of the Acts of 1844 and 1845 did blame the Bank on that ground. I know that several opponents of the measures have laid down the doctrine that the Bank ought at all times, and under all circumstances, to discount at one uniform rate. That position is maintained certainly by one great authority on monetary matters, who is opposed to the Act of 1844, and is not maintained, so far as I know, by those who supported it. Let the right hon. Gentleman blame persons for holding such extravagant opinions, if he will but at least let him put the blame upon the right shoulders. The right hon. Gentleman also stated, that the effect of the Acts of 1844 and 1845 was to entail upon the country bankers in England, Scotland, and Ireland, the necessity of holding from 3,000,000*l.* to 4,000,000*l.* of gold. Now this was not the case. Those measures did not entail upon the country banks of England the necessity of holding a single additional sovereign. An issue of 8,000,000*l.* was given to the English bankers, without the necessity of holding a single pound more than they did before. Nor did those measures entail upon the bankers of Ireland the necessity of holding a single sovereign more than they previously did. Why, last October the circulation in Ireland was actually 1,000,000*l.* below its authorised amount. The Irish banks might, last autumn, have issued notes to the amount of 1,000,000*l.* more than were actually in circulation, if it had been necessary to meet the wants of the country, without the slightest deviation from the Act of 1845, and without holding a single additional pound. With regard to Scotland, the case was, no doubt, different. The actual circulation of the Scotch banks, last autumn, was higher than the authorised circulation by about 470,000*l.*, and they were under the obligation of holding gold to this amount. The real fact was, then, that at that time it was only necessary, in the three countries, that an additional sum of less than 500,000*l.* in gold should be held by the bankers, under the requirements of the existing law. The right hon. Member for Stamford (Mr. Herries), also stated that I had said that there had been no great diminution of the circulation at the time when my right hon. Friend the Member for Portsmouth (Mr. F. T. Baring) said, that there had been a great diminution of the circulation. Now, substituting for the expression "circulation," the expression which I think ought to be used, namely, "notes with the public," it is true that I did state, that in the course of the last autumn there was no great diminution of notes with the public, but on the contrary a slight increase. But that was not the period to which my right hon. Friend referred. What he said was, that between August, 1846, and April, 1847, there was a diminution of 9,000,000*l.* of bullion, and no diminution of notes with the public, while under the operation of the law there ought to have been a diminution. My right hon. Friend's remark applied to the autumn of 1846 and the spring of 1847, while my observations applied to the autumn of 1847, so that we were referring to totally different periods. I thought it my duty to notice these two or three points, because I wish the House not to remain under any misapprehension as to the facts. With regard to any general

discussion of the currency, I do not think this is the time when we ought to enter upon such a debate. I have stated my opinions on that subject at great length on former occasions, and I do not now wish to obtrude them again upon the House. I think the right hon. Gentleman has made out no case whatever for the temporary suspension of the Acts of 1844 and 1845; and the House will have a future opportunity, when they have all the facts of the case before them, of judging calmly and deliberately upon the more permanent operation of those measures.

ALDERMAN THOMPSON said, that, if he correctly understood the argument of the right hon. Gentleman the Chancellor of the Exchequer, he rested his opposition to this Motion upon three points, namely, that the present condition of the Bank of England, as compared with its condition in October last, was so improved, and there being no appearance of pressure, there could be no danger of any difficulty inthat quarter; his second objection to this Motion was, that Parliament was sitting; and thirdly, that a Committee of the House had been appointed to inquire into the cause of the commercial distress which prevailed in the country. With regard to the first statement, namely, the improved condition of the Bank, he had the satisfaction of entirely agreeing with the right hon. Gentleman; but he begged to be permitted to remind the right hon. Gentleman what the condition of the Bank of England was about this time last year. He would remind the right hon. Gentleman that the bullion in the Bank of England in January, 1847, was within a mere trifle of 15,000,000*l.*; that the reserve on the banking account was upwards of 8,000,000*l.*; and by the month of April, the bullion was reduced to the extent of 5,000,000*l.*, and the reserve to the extent of 6,000,000*l.* It might be said that at this present time there was no prospect of an export of bullion, or an unusual importation of corn; but that, in his humble opinion, was not a sufficient answer. He might ask the right hon. Gentleman if he felt perfect security with regard to the state of Italy and France? Might not Europe be so involved in war and strife as to cause a large drain upon the bullion in the Bank of England? Therefore they could not trust to such arguments as the right hon. Gentleman had used. With regard to the other point, namely, that Parliament is sitting, he would remind the House of the manner in which the late Parliament had treated the petition of the merchants of the city of London, which was presented by his hon. Friend the Member for Huntingdon in June last. That petition pointed out the dangerous position in which this country was placed; but did Parliament listen to it? No such thing. And what ground had the commercial and manufacturing interest for supposing that this Parliament would pay more attention to any representations they might make? The third objection of the Chancellor of the Exchequer was founded on the fact that a Committee of this House was now sitting to inquire into the operation of the currency laws. He hoped he was not divulging the secrets of the Committee of which he was a Member, when he stated that it met on the 4th of February; he was speaking on the 17th of February, and they had examined two witnesses! Considering what the suffering of the country had been, and still was, did they think it would satisfy the country to wait for the report of that Committee? He would say, that if the House of Commons entertained any such expectation, he was afraid it would end in bitter disappointment; and he would further say, that those who had the opportunity of witnessing the calamities that had taken place, could come to no other conclusion than this—that it was utterly impossible for this country to endure a second time such a financial pressure on its mercantile and manufacturing interests. It was impossible for any man who was acquainted with the state of the country to think that they could go through, in the year 1848, the same trial as they had to encounter in 1847. The right hon. Member for Stamford had told them that during the pressure of last year, 220 houses had failed, whose obligations amounted to 30,000,000*l.* But, though we knew how many houses had fallen, we did not know how many had been ruined. At no former period in the history of this country had the loss of capital been so great. It had been truly remarked by the hon. Member for Paisley, that the trade between this country and India—one of the greatest and most important branches of our commerce—had been laid prostrate. There was no longer an adequate capital in India to carry on the great commercial transactions of that empire. Bills to the amount of 7,000,000*l.* or 8,000,000*l.* had been returned upon Calcutta. Without the intervention of the East India Company, the produce of India

could not be sent forward to England. The right hon. Baronet the Chancellor of the Exchequer had told the House that there was certainly a great deal of pressure in the commercial world last autumn, but that the pressure was caused principally by the failure of the large bill-brokers, which failure cut off the resources of all the houses that depended upon their discounts for the carrying on of their trade. He would, however, remind those hon. Gentlemen who happened to be in town last November, that the failures and embarrassments were not confined to the bill-brokers and their customers. He would ask hon. Gentlemen if the alarm was not so general—if the rate of discount was not so wide—that there were few establishments, bankers as well as others, whose credit was not then labouring under great suspicion? They could hardly pass the corner of a street without hearing doubts thrown upon the solvency of the first houses in the world. At that time it was utterly impossible to negotiate bills upon foreign countries drawn against actual shipments of produce. Bank notes could not be found wherewith to cash these bills. Parties said, "We will take your bill, but we have no bank notes to pay for it. If you can wait for fourteen days, we will endeavour to accommodate you." And what was the feeling on the Continent with respect to the state of things in England? Foreigners believed that all London was bankrupt. Those who owed money to parties in this country would not remit; they would not go into the market and purchase bills on England, as they would gladly have done under ordinary circumstances; they expected that the parties upon whom the bills were drawn might be bankrupt before their acceptances reached maturity. What was the state of things at Newcastle-upon-Tyne? But for the prudent intervention of one excellent individual, whom he (Mr. Alderman Thompson) was proud to acknowledge as a personal friend, Mr. Grote, the manager of the branch bank, the whole town of Newcastle, and the densely populated district by which it was surrounded, would have been in a state of barter in less than twenty-four hours. He very much doubted whether the peace of the district could have been preserved under such circumstances. What was the state of the whole country from the east to the west? In Liverpool, in Manchester, in Yorkshire, discounts were as difficult to procure as they were in London. And what was the cause of all this difficulty? The Chancellor of the Exchequer had told them to-night—although the right hon. Gentleman had used other and contrary language on a former occasion—that he did not attribute the commercial crisis of 1847 either to the conduct of the Bank of England, or to the operation of the Act of 1844. Then to what cause or causes did the right hon. Gentleman attribute the fearful crash? The right hon. Gentleman was of opinion that it was owing mainly to speculation and miscalculation. In answer to the deputation from Newcastle, who waited upon him at his seat in Yorkshire, the right hon. Gentleman said there were plenty of bank notes in the country—that there was no scarcity of money for the legitimate purposes of trade. The right hon. Gentleman could not have foreseen the extent of the mischief which actually occurred between the 23rd of September (the day the deputation waited upon him), and the 23rd of October, or he would never have made such an observation. No; the right hon. Gentleman never dreamt of a necessity for writing the letter to the Bank of England. He entirely subscribed to the necessity which then called for so decided a step on the part of the Government. The letter had the immediate effect of stopping the alarm, and mitigating the pressure of the panic. Money at the present time was abundant, and might be had on good security, on very easy terms. And yet the public were actually in possession of 2,000,000*l.* less of notes now, than they were on the 25th of last October—when every one expected ruin in consequence of the difficulty in obtaining discounts. One solution to this apparent anomaly readily presented itself—panic and alarm caused the hoarding of gold and notes to the extent of 6,000,000*l.* The increase in the issue of notes by the Bank of England, between the 25th of September and the 30th of October, 1847, amounted to 2,754,000*l.*; within the same period there had been an increase in the gold in the issue department to the extent of 2,202,000*l.*, making a total of 4,956,000*l.* With all that money in the Bank, and in the hands of the public, bills at long dates could not be discounted under 17 or 18 per cent. Merchants holding eight and ten months' bills on India and China, would cheerfully have paid even higher rates than 18 per cent; but they could not raise money on such long-dated paper at any

rate. In such a state of things, all calculations of profit and loss were necessarily put aside; and the enormous losses entailed by these high rates of discount were not all the merchants had to contend with. As the value of money increased, as the rates of discounts rose, the value of all kinds of produce fell. With regard to the charge of speculation, he would beg to remind the right hon. Gentleman the Chancellor of the Exchequer, that, with the exception of the single article of sugar, there had been an almost total absence of speculation. And there was a special reason for that. The House would recollect that an alteration had been made in the duty upon sugar. The Chancellor of the Exchequer, in bringing forward his measure for the alteration of the duty, told the House that the consumption of sugars could be immensely increased in this country. An opinion to that effect, coming from so high an authority, induced merchants to import more largely than they would otherwise have done. Then with regard to the speculations in corn. In the early part of 1847, the Government were themselves importers. He did not blame them for taking that step—it was forced upon them. Every week during that period, hon. Members were getting up in the House and asking why the ships of war were not pressed into the corn trade. Some hon. Gentlemen asked whether Ministers were not prepared to offer a bounty on the importation of bread-stuffs. Then, had they not a day of public humiliation—the general fast? All these circumstances led merchants to embark their capital, and apply their energies to the corn trade. They ransacked the whole world for grain, and they saved this country and a portion of the Continent from the horrors of famine. Instead of being abused and stigmatised as speculators and miscalculators, those merchants were entitled to the gratitude of the country. The average price of wheat in London in the month of May was 105*s.*; in August it had fallen to 51*s.* per quarter. What calculation could have availed against so sudden and so unexpected a change? He did not consider any man to be a speculator who was an importer of goods. That was the legitimate enterprise of merchants—that was not speculation. The man who went into the market and bought up articles of general and necessary consumption, in order to raise prices, was a speculator. The merchants who imported the corn, calculating upon the market prices, and the probability of their still continuing to range high, did not deserve that name. Theirs was a legitimate commercial enterprise, and it was not right to stigmatise them as speculators. The House had been told by the promoters of the Bill of 1844, that, although it might not have the effect of preventing commercial panics, it would certainly mitigate their effects. He took no blame to himself for the Bill of 1844. He was one of the few Members who opposed the Bill; and at the time of its passing, he offered his humble but sincere opinion that it would prove a mischievous measure. He was then told that as the bullion came in, the Bank would increase its issues; and that as the bullion went out, the Bank would contract its issues; and that the foreign exchanges would be rendered more steady, and that discounts would be maintained at a more uniform rate. Experience had proved the impracticability of the measure, and the complete fallacy of such predictions. Under the operation of the Bill, discounts had varied from two to twelve per cent. Under the operation of the Bill the country had encountered the evil of adverse foreign exchanges, coupled with increased discounts and panic at home. Experience had shown that it would be utterly impossible to maintain the Bill in its integrity. The promoters of the Bill told the House that after the measure became law, the Bank Directors had only to raise the rate of interest, and they would at once stop the efflux of bullion and lessen the demand for discounts. But experience had proved that the more the Bank raised the rate of interest, the more widely-spread were the dismay and alarm, and the public procured notes in larger quantities and sooner than they would otherwise have required them. Hence the raising the rate of interest increased the demand for discounts. He had alluded to the state of credit in this country during the months of September and October last, and he had told the House the opinions held on the Continent with regard to the then existing state of England. By the permission of the House he would read them the opinion then entertained and expressed by the people of the United States. [The hon. Gentleman read an article from the *New York Herald* of November 20, to the effect that the scarcity of provisions and subsequent panic in England, had thrown into the hands of the American

Government that supremacy which they had long been striving for—that the resources of England were nothing as compared to those of the United States—that the pressure for money in England would revolutionise the Government, destroy the nobility, and work out organic changes in the state of society. It concluded by stating that the manufacturers of the United States were never in a more prosperous condition.] What was the state of public credit at that period? Exchequer-bills were at the enormous discount of 40 per cent, and continued so for some time. On Tuesday, the 5th of October, the difference in the price of Consols for money and Consols for account indicated a rate of interest equal to 50 per cent per annum. He might not consider it absolutely necessary to repeal the whole of the Bill, but he was anxious that the House should go into Committee on the Bill. He should like to see the House strike out that portion of the Bill which limited the discretional issue to 14,000,000*l.*; and he was anxious also to strike out the clause which limited the amount of silver coin upon which notes can be issued. He was entirely opposed to the doctrines of what had been termed a domestic currency. Domestic currency, in his opinion, was only another name for a depreciated currency. As in Russia they had their silver and paper roubles, so we in England should have our Bank of England notes, payable in gold at the rate of 3*l.* 17*s.* 10½*d.* per ounce, and another kind of note payable in nothing at all. To the latter sort of currency he was decidedly opposed; but he had heard no valid reason urged against the right of the Bank Directors to issue what amount of notes they thought proper on the security of silver. The circulating medium of the Continent is silver; and when the exchanges are unfavourable to this country, the Bank first losses its silver, and then the gold follows. In his opinion an increased stock of silver would act as a protection to the gold. With respect to the issues of the country bankers, in spite of the Chancellor of the Exchequer—in defiance of his threatening circular—he could tell the right hon. Gentleman that that part of the Act of 1844 was evaded, and would be evaded if the want of a sufficient circulating medium in the country required it. In conclusion, he would implore the House to adopt the resolution of his right hon. Friend (Mr. Herries), and not allow the credit and character of the commercial interests of this country—interests which he had always looked upon as of the highest importance—to be sullied by an obstinate adherence to a policy which had already proved so mischievous.

Mr. W. BROWN: I never rose to address the House with more anxiety, considering the great importance of the subject, and how much the prosperity of the nation depends on having our monetary affairs well managed. I am, however, encouraged to offer my opinion from the nature of my pursuits in life, for the last forty-seven years having been more or less connected with business and money transactions, which have naturally turned my attention to those subjects. Although I am not so presumptuous as to think that the views I entertain must necessarily be right, and those of Gentlemen who differ with me wrong, still I feel a deep interest in our monetary affairs being well managed, as anything and everything that prevents disturbance in them is not only a benefit to the merchants, but to every individual in the country. It is therefore most important, as far as it is practicable, to prevent those extreme fluctuations, and to mitigate the intensity of those panics, which too frequently occur; but I do not believe that in any active, enterprising, commercial country it is possible to prevent them altogether. The famine was certainly the primary cause of our distress: it was one of those dispensations of Providence which no human foresight or prudence could control, and which has drawn from us 33,000,000*l.* to buy food from other countries to relieve the sufferings of a starving people. But it was the means of affording an additional proof of the advantage of commercial freedom, for the merchants would not have dared, with the risk of ruin to themselves, to have ransacked every quarter of the globe for supplies, if a high fixed duty or sliding-scale had been added to the risks of a falling market. In addition to this there was the great demand for money for the railroads, which raised its value so much as to bring down many houses depending on discounts which could not be obtained. Some of these must sooner or later have fallen; but the more those misfortunes could have been spread over time, the less severe they would have been on the general trade of the country, and less injurious to solvent houses, many of whom have made sacrifices to sustain themselves that have all but brought them to the verge of bankruptcy. Then comes the Bill of 1844. I do not attribute to it, as

many do, all the guilt of its being the sole cause of our sufferings; but its promoters thought it would do everything for us, as may be seen by reference to their speeches in *Hansard* at the time it was under discussion. It was to be ballast for the commercial ship; but to the period of the money pressure it was a dead letter. Any frail bark can get along with safety in a glass smooth sea; but we want a vessel that can breast the storm and ride out a gale of wind in safety; but the Bill of 1844 foundered the very first sea that struck it. What has it done for us? It has not prevented imprudent speculations in railroads to a frightful extent: although some of these are valuable acquisitions to the country, others are as worthless as the South Sea bubble of 1721. It has not equalised the price of money; that has been lower and higher since its enactment than in modern times. I have obtained the rate of interest charged in the London money market every year since 1824; and if this is any criterion to judge of the severity of the pressure (which I think it is), taking the years of the greatest difficulty, they stand thus:—1825, lowest rate 3½ per cent, highest 4½, difference 1 per cent; 1832, lowest rate 2¾, highest 4 per cent, difference 1¼ per cent; 1837, lowest rate 3¼, highest 5½, difference 2¼ per cent; 1839, lowest rate 3¾, highest 6½, difference 2¾. Now, let us look at last year, the lowest rate being 3¾, the highest 10 per cent; but in addition to this 10 per cent, there was in many cases a commission charged, making the interest equal to from 15 to 20 per cent; and at two periods, April and October, discounts to any extent worth notice could not be obtained at all on the very best description of paper. I think you will agree with me that we have encountered one of the most disastrous panics on record, for the price of money proves it to be so; and many of the most practical and independent men I know agree with me in considering it greatly aggravated by the Bill of 1844. Was not the discount branch of the Bank of England on the very verge of stopping payment on the 25th of October, when the Government letter was sent to their relief? And that letter virtually annulled and condemned the Bill of 1844. Without this guarantee of indemnity, the bank of discount had it not in its power to draw one sovereign from its copartner the bank of issue, under the same roof, without cancelling an equal amount of notes, although there was upwards of 7,000,000*l.* in its vaults. On all former occasions, an export of seven to ten millions of specie was found sufficient to pay off foreign balances and turn the exchanges in our favour. The very consternation that this Bill produced by its iron rule — its arbitrary maximum — when it was found to begin to act on the money market—without the power in any quarter to relax it or give relief unless by violating an Act of Parliament—made bad worse. I cannot see where this Bill has a single redeeming feature: it puts an unnecessary shackle on commercial freedom, and it has induced very extensive hoarding. Hon. Gentlemen may not understand why hoarding took place to so great an extent as has been stated when all was tranquillity at home. Merchants, who in the course of their dealings were passing bills through their hands, when any want of confidence in those bills being paid at maturity took place, found it necessary for them not only to see that they had available means to pay their own engagements, but to retire any bills of others that might be thrown back on them dishonoured. I have little doubt that 1,000,000*l.* to 1,500,000*l.* in Liverpool alone was held back from the ordinary pursuits of trade to meet those contingencies; and Bank of England notes answered this purpose so long as we had no internal disturbances; but events might have arisen that they could not answer at all. A million or two handed over from the issuing department to the banking department, in time to have enabled it to discount all good legitimate paper at a fixed price, would have greatly decreased the intensity of the panic, and allowed export orders to be more freely executed, which, until the Government came forward, were almost at a dead lock. By their letter, bills of an unquestionable character were made available, which for some time previous were literally useless: without this relief some most respectable houses must have stopped; we would have had something like a national bankruptcy. Although failures and much want of confidence would have taken place, my firm conviction is, the Bill, without forewarning men of their danger, and making them cautious, only lulled them into the fatal security that it would keep all right and prevent credit from being shaken, as it would secure the convertibility of bank notes into sovereigns. But let me ask, would that have prevented the utmost consternation and increased

distress, if the bank of discount had been so far pressed as not to be able to meet the checks of its depositors? And such would have been the case—as 11,000,000*l.* of their capital was lent to Government, 3,000,000*l.* locked up in the bank of issue, and the other public securities they held could not have been made available in time to meet the exigency without an enormous sacrifice, if they could have been sold at all—had not the Government letter restored confidence, so that the funds immediately rose, the demand for discounts rapidly decreased, and the hoarded money was let loose. Can we want further proof of the injurious effects of the Bill of 1844? I see nothing to shake my confidence in perfect freedom in banking with secured convertibility; and I entertain strong doubts of the advantages of a great banking concern like that of the Bank of England, which, by the way, I think, is very unfairly expected to serve two masters with different and conflicting interests—the stockholders and the public—and to hold gold to meet the reserves of other banks of issue, without having the profit of their circulation. But its standing and position are such, and so bound up with the feelings and opinions of the nation, that it is now of no use discussing its eligibility or ineligibility. There it is, guarded by special privileges; and it ought to be made the most efficient instrument possible for public good. But the Bill of 1844 has relieved the Bank from all responsibility as to their being the conservators of public credit; they now stand in the position of a private bank, and have only to consult the interest of their stockholders. When the interest of money materially advanced before the Government letter made its appearance, there was no danger to the Bank in discounting freely all the good business paper that offered; for the pressure was to pay bills that were due, and not for new operations—so that if bank notes went out at one door, they came in at another. Unquestionably the Bank Act of 1819 was good, so far as it brought us back to cash payments, and confirmed our standard of value in weight, viz., that 3*l.* 17*s.* 10½*d.* in bank notes should represent an ounce of gold. If we had either decreased the standard in weight, or debased the coin, the exchanges of the world would have immediately responded to it; for instance, if we had made half an ounce of gold to be represented by 3*l.* 17*s.* 10½*d.* in notes, which are quite conventional—valuable only on the strength of the security that gives them value—a bill negotiated on England in any foreign country, would only sell for half the value it now does. It is therefore clear, that would not benefit us with other nations, but be a fraud on all our creditors. I know that some Gentlemen argue, that inasmuch as a large amount of our national debt was negotiated in a depreciated paper currency, that the debt, or the interest of it, should be settled in a currency of the same value. Those Gentlemen must lose sight of the fact, that when those large contracts were negotiated with Government, an Act of Parliament existed, pledging the Bank to resume specie payments six months after a definitive treaty of peace was signed. The contractors never dreamt—no one even supposed—that the depreciated bank notes were to be redeemed or paid in a less weight of gold than the acknowledged and known standard. Had any fear existed on the part of the contractors, that the Bank would be authorised by Government to pay in less weight of gold of the same fineness, they might not have got the loan at all, or at prices that would have been ruinous, and we might at this moment have been a colony of France. National faith should ever be maintained at all sacrifices. A steady standard of value is of the first importance to a commercial country, to secure the integrity of contracts: what confusion would the having of an unsettled standard lead to; wheat for instance, sometimes worth 2*l.* per quarter, and sometimes 5*l.* If we had a standard of value for the first time to fix, I should discard the word "value," and say "weight;" it would be of verylittle importance what weight we assumed, but having fixed it, it should be rigidly adhered to, to preserve the integrity of contracts. Buyer and seller—borrower and lender—agree to take their chance of the increased or decreased value of the weight of gold contracted for: we know of no article, at present, so nearly of the same relative value all over the world. As to a double standard of gold and silver, I see no great benefit that would arise from it: silver will buy gold, and the latter has the advantage of being less subject to variation; and it is, besides, the most easily transportable merchandise in the world, valued and prized by all civilised nations, and hence well suited to adjust the balances of a commercial country. Thus far I go with the Bank Act of 1819: by that Act, the Government permitted the Bank to issue 14,000,000*l.* of notes on

Government securities; and, so far as the home trade goes, and while we are free from internal disturbances and panics, it may answer every purpose; but notes are valueless in foreign markets to pay for grain or anything else. At that period, we had in round numbers about 14,000,000*l.* of inhabitants; now we have about 21,000,000*l.*; and the trade of the country is probably increased something in the same proportion; a sum in specie, which at that time was considered sufficient to secure convertibility, might be totally inadequate now. I am most anxious to press this consideration on the House, that it is extremely dangerous to allow the credit and prosperity of this country, to rest upon 14,000,000*l.* of notes based upon the security of a mortgaged estate; for 11,000,000*l.* of the capital of the Bank is lent to Government at 3 per cent, and 3,000,000*l.* of their public securities are locked up in the bank of issue. The banks have literally no available capital, for their rest (about 3,500,000*l.*) is partly in buildings and mortgages, and in the dead weight. Their deposits must be considered as part of their circulation, as they are totally out of their control, and may be called for any hour; it is not likely they will be called for all at once—still it is the capital of others they are trading on, and unsafe to depend on to any extent; for in times of pressure the owners of those deposits may want to use a large amount of them; and an efflux of gold may soon carry off the amount that has been hitherto considered a sufficient reserve to meet them, secure convertibility, keep all safe, and give confidence. How severely merchants are censured for basing their operations on fixed property, locked-up funds, or the capital of others! Is not this the position of the Bank? Who is to blame here? To put the transactions of the nation on a more stable footing, Government should pay off this debt, or a great part of it, or the Bank increase its capital, convert it into specie, and allow it to remain in the vaults of the Bank to meet any contingencies. I know this would be a great loss to the stockholders; but as it is a national object that this great banking-house of the world and the country, should stand on a more solid basis than it does, let the nation sustain that loss: it is a drop in the bucket, compared with the suffering and depreciation of property below a price at which it could be produced, that we periodically go through. The Bank, with a greater amount of specie, need never refuse to discount good bills: they might more gradually and not suddenly raise the rate of interest, if they found speculation running wild, and always be in a position to mitigate the distress which is felt in such times from the lowest to the highest. You must leave a discretionary power somewhere. Who would think of governing a merchant's counting-house by Act of Parliament? Neither can you govern a great national or any other bank by such a rigid rule. There may be an influx or efflux of gold—good trade or bad—a foreign or domestic loan—foreign war or domestic difficulties—a good harvest or a bad one—or possibly a few deficiency bills to discount, all of which must be met, as far as practicable, by the judgment and foresight of the parties managing our monetary affairs. I feel strongly that if the monetary affairs of this country are to be placed on a footing that will decrease the intensity and frequency of panics, the Bank of England must at all times have sufficient specie to make it impossible that any demand on her to pay her notes will compel her, in order to save herself from stopping payment, suddenly to decrease her accommodation, and add to existing distress, as was the case last October. I deprecate all Parliamentary maximums or minimums, sliding-scales or restrictions—more or less demand for money should regulate the interest—and the Bank, as a great trading company, should deal with it accordingly. It should never permit itself to be in a position of alarm from any quantity of specie leaving its vaults—it should always have enough and to spare. There is no guarantee that any Government can give that will make their notes equal to gold but a certainty of their convertibility under all and every conceivable circumstance. I want to see the Bank of England in the same position that the Bank of France was when the Allied armies entered Paris in 1815. Having only granted discounts and accommodation to the amount of their available capital, no one could make a run on them, and their business went on as uninterruptedly as if no foreign foe was in the country. The Bank of England would not have felt, under similar circumstances, quite so much at ease, with their capital locked up in unavailable securities. This great institution should be put on a different footing. The right hon. Baronet the Member for Tamworth admits that in some respects he was disappointed in the working of the Bill of 1844.

In his speeches at that time, when this measure was under discussion, he raised an argument in favour of it, on the ground that, as a great number of American banks had stopped payment, although guarded by the personal liability of partners, that this was no security for convertibility. Certainly not; but the right hon. Baronet has fallen into an error in this, for there is no individual responsibility in any American bank that I am aware of; therefore, any argument in favour of the Bill of 1844, based on this error, must fall to the ground. The hon. Member for Westbury's suggestions for circulating one-pound notes and calling the sovereigns in, would no doubt save capital, and might do very well if we were sure of no panic or run on the banks; but in that event, it would only aggravate the evil. I therefore think it better for the country to lose the advantages he points out, rather than adopt his plan. My views go no further than to call in sovereigns as a temporary measure to purchase food in the absence of alarm, and to send them into circulation again at the earliest possible period of their return. Although we have had no internal disturbances, and although the Bank has been enabled to stand firm by the aid of Government, yet as it is believed that the internal drain on it for gold was 3,000,000*l.* or 4,000,000*l.*, that gives us a foretaste of what we might suffer if we were more dependent on a paper currency, and had any internal disturbances or alarms to contend with.

Mr. HUDSON was not going to trouble the House with many observations; but he could not help commenting upon some of the observations made by the right hon. Gentleman the Chancellor of the Exchequer. That right hon. Gentleman had complained that the question had been forced upon the House after a sufficient opportunity had been given, upon a previous occasion, for the full discussion of it; and he had added, that the former debate had terminated in consequence of there being no hon. Member left who was prepared to take a part in it, or offer any further arguments upon the question. Now that was not so. The right hon. Gentleman had forgotten the facts and circumstances of the case. The right hon. Baronet the Member for Tamworth rose upon that occasion at a very late hour of the night, and did not conclude his speech until about one o'clock. The hon. Member for Newark moved an adjournment of the debate, which was resisted by the right hon. Gentleman opposite: thus the debate was unfairly terminated. There were, besides, many hon. Gentlemen who had no objection to the appointment of the Committee of Inquiry, but who wished to have the Bank Charter Act repealed, and not merely suspended. For his own part, he regretted that the right hon. Gentleman (Mr. Herries) had not brought forward his present Motion at an earlier period. The country expected that something more than the mere appointment of a Committee of Inquiry into the causes of its commercial distress would have been done; and nothing could have been more disappointing to the country at large than to find that the Government was unable to legislate upon the subject. The appointment of the Committee was in fact a mere subterfuge to get rid of the question without incurring the responsibility of either adopting it, or rejecting it altogether. He knew it was very convenient for the Government so to act; but the real question which the House ought to consider was, whether the Bill of 1844 was or was not entitled to the approbation of the country? That question was attempted to be kept out of view. They had been asked, were they going to repeal the Bill of 1819? But that was altogether beside the question. And he hoped, that no more hon. Gentlemen would attempt to pull or force the question of the repeal of the Act of 1819 into the one really under consideration. If any hon. Gentleman wished to repeal the Act of 1819, let him by all means try to do so. Let him propose a measure for the purpose. But the simple question at present before the House was whether they were prepared to repeal the Act of 1844 or not? But the Chancellor of the Exchequer wanted to carry the House away from the real question. He had alleged that if those discussions were to be thus raised, they might be carried on for months. He (Mr. Hudson) had no desire that the debate should last for months; but he wished to see the question dealt with, because he thought the measure of 1844 was fraught with evil to the country. On the former debate, the right hon. Baronet the Member for Tamworth had asked the opponents of the Bill of 1844 whether they wished to return to the state of things which existed when the Northern and Central Bank was in being? If it were a question of going back to former periods, they might as well go back further. Thus much he thought,

or rather he might say he knew, that the effect of the Bill of 1844 was the curtailment of the benefits which the country derived from the banking system. As to what had been said about the joint-stock banks, his belief was, that if they had been let alone, they would have recovered themselves, and the country would have had a sound system of banking finally established. It had also been said, that the making of railways had, to a great extent, involved the country in its difficulties. He denied that. They could not shut their eyes to the fact, that the calls had been going on, and that the amount of calls made on account of railway shares in January, 1848, was larger than that made in January, 1847; and yet they found money plentiful: they were told that at this moment it was not worth more than 3 per cent in Lombard-street. If railway calls were the cause of the pressure, why did not money fetch the same high rate of interest now as it commanded at the close of 1847? Why was it to be had on easier terms than in October last? Hon. Gentlemen ought likewise to look at what the amounts of the private deposits in the Bank of England were. They would see that they were the same in October, 1847, as they were in October, 1846. The deposits in the Bank of England, in fact, had not been intrenched upon at all, and the money had all found its way back again into the coffers of the Bank, though he would admit that some private bankers had suffered by having their deposits drawn out. This admitted of a very easy explanation. There was now money to be obtained; but that was explained by the fact that it was no longer necessary to export gold to furnish food. The Chancellor of the Exchequer had said, that upwards of 6,000,000*l.* of notes were in the hands of the public more than at former periods. That might be; but by the operation of the Bank Charter Act of 1844 insecurity was generated, and people, instead of putting their money into circulation, hoarded it. This was owing entirely to the restrictive powers of the Act. The present system imposed such hardships upon the commerce of the country, that, at a time of panic and alarm, it was utterly impossible to obtain means to meet the undertakings and commercial engagements of the day. In the month of October last, the bank at Newcastle was in a position of the most imminent danger. Representation was made to the Government that if money was not forthcoming, the Government must send troops to keep the peace in that district. Assistance was rendered to the bank. If that had not been done, no person could say what amount of disaster would have occurred in that part of the country. But when he and those who were opposed to the restrictions inflicted by the Bill of 1844 complained of the check given to trade by it, and pointed to the number of houses that had failed, they were told that they ought to have failed long ago —they were told to look at the condition of those houses, and look at their balance-sheets, and wonder that they had so long remained erect. For the sake of the argument, he would admit that they were insolvent. But what he contended for was, that solvency was not protected in consequence of the measure of 1844. No matter how high the character of any commercial house, no matter how solvent it were, the consequence of the Bank Restriction Act was to have its solvency brought into question, and its position rendered doubtful. The most solvent houses had been spoken of in consequence of that Act as being in a tottering condition. If, then, it had not preserved solvency, why should it be retained? They had already virtually repealed it. Why not repeal it altogether? He objected to its being left to the Government, to the Chancellor of the Exchequer, or the First Lord of the Treasury to decide when it would or would not be right to suspend its operation temporarily. They had not interfered soon enough to effect that suspension. He repeated it: they had not interfered soon enough; and those parties who had to pay 50 or 60 per cent for the accommodation they had received before that suspension had been directed by the Government, had good cause to complain of the loss inflicted upon them by the delay, and of the unfair advantage given to those who had subsequently profited by it. The Chancellor of the Exchequer might defend the Bill of 1844; but where was a commercial man to be found who would undertake to defend it? He knew of none. By the common consent of all commercial men, the part of the Bill which enacted those restrictions was condemned as most obnoxious and unwise. Why then should the House wait until the Committee should have reported before venturing to repeal the Act? He thought the Government were bound to prove that they were justified in retaining it. On the previous occasion, when the question had been debated, the Chancellor

of the Exchequer had thrown some blame on the Bank of England; but that night he had withdrawn his censure. If the Act were still to be retained, he (Mr. Hudson) hoped that some measure would be introduced to prevent the Directors of the Bank of England from being obliged to lend money to the right hon. Gentleman the Chancellor of the Exchequer, to the prejudice of its other customers. It was notorious that on one occasion the Chancellor of the Exchequer had gone to the Bank and had swept away the entire of the reserve; and the consequence was, that the Bank had to send to all its agents throughout the country directions to limit their accommodation to commercial houses to one-half of what they had been accustomed to grant, because the Bank had been obliged to lend the whole of its reserve to the Chancellor of the Exchequer. The corn merchants also had been blamed for having by their indulgence in over-speculation caused a great deal of the pressure and commercial distress that had arisen. But the circumstances should be remembered. There was a very fair prospect of success being attendant upon their speculations; but they had turned out less successful than the speculators had calculated. It was altogether impossible to lay down a fixed rule on which they could act on all occasions, without any deviation. It was impossible that they could at all times have the same amount of money at command. No private individual in the management of his affairs could lay down any fixed and inflexible rule for their management. He thought it desirable that the country should know what the Government was prepared to do, and should plainly understand the principles on which the Government were prepared to act in matters so gravely affecting the most important interests of commerce and the country. Without great consideration he would not venture to say that he would give unlimited powers of issue; but at the same time it was with him a matter of grave doubt whether the restrictions which they at present maintained tended to any right purpose. This was at all events a circumstance very remarkable, but at the same time indisputable—that in those parts of the country where the bankers issued their own notes less commercial distress had prevailed than existed in those parts of the country where the issues were uncontrolled under the operation of this system. He would assert as his opinion that the principle on which the Chancellor of the Exchequer acted in his letter so the Bank of England, in fixing the rate of interest at eight per cent, was most unwise, for he thought that that proceeding had had a greater effect in raising the interest of money throughout the country than any other measure whatsoever. He knew that in those parts of the country where bankers issued their own notes, the rate of interest had been very little raised, if at all. He thought that the simple question which the House had to consider was, whether they should not repeal that part of the Bill of 1844 which operated most injuriously on the commercial classes. He did not say that this Bill had been the entire cause of the recent distress; but its operation had aggravated the pressure—had increased the distress—and made it almost intolerable. It was quite impossible that they could keep the circulation of the country under control, in the manner laid down by this law; it was generally agreed that they could not keep the circulation of the country under this inflexible control, and if that was the case, would it not be better to put an end to this law altogether? Would it not be better for them to repeal the Act at once? He thought it would, and he had great satisfaction in supporting the Motion.

Mr. M'GREGOR said, that he presented himself to the consideration of the House under circumstances of great disadvantage, and would willingly have abstained from doing so, but that he felt it his duty to state his opinions briefly to the House, representing as he did a great commercial community. It was his opinion at the time, and his opinions had not changed, that the Bank Charter Act of 1844, was not at all suited to the wants of a great commercial country like this. It was not an Act suited to the commercial wants of an empire situated in every respect as the British empire was. By the Act of 1845, the provisions of that Act were extended to Scotland and Ireland; but, unfortunately, the operation of that law was not at all adapted to those kingdoms. He believed that it was as impossible for Parliament to regulate the prices of money as to regulate the contraction and expansion of the mercury in the barometer. In fact, a law of this kind was not at all adapted to any kingdom or country whose resources were expansive. He did not know any country in Europe to which a law of this kind was applicable, unless to some village in Holland, where the population had not

increased for the last six hundred years. Many had attributed the commercial calamities of October and November 1847 to improvident speculations on the part of our merchants and capitalists. He did not join in the blame of those who had so suffered. He believed it to be impossible that the commerce of this great country could ever be carried on without, in some degree, the speculations of her merchants being attended with risk. He believed that our merchants could not carry on the commerce of this great commercial country with all the nations of the earth, carrying out our manufactures, and bringing back the products of every part of the world—he believed that in carrying on a commerce so extensive as this, that our merchants must enter into many speculations which must necessarily be attended with risk. But he denied that the failures of individual speculations could affect the prosperity of the country. The history of this country, and of all countries which had risen by means of commercial enterprise, proved that this country and countries similarly circumstanced had become rich and had thriven notwithstanding the occurrence of individual failures and calamities. When failures were announced of various large houses throughout the kingdom, it had been said that those houses were unsound—that they ought to have given up long ago. For his part, he lamented the fall of those houses, for the sake of the individual partners, many of whom were so circumstanced as to be entitled to sympathy. He regretted to hear observations of this kind made with respect to those houses. He thought that they acted most beneficially on the trade of the country. They gave the required impulse to our commerce, carrying our goods to distant parts of the earth, and bringing back the products of those distant countries in return. The great commercial power of this country gave her a preponderance in the world which was universally admitted. There was an anecdote mentioned of Napoleon, that some days before the battle of Leipsic, when a proposition was made to him, based upon an expectation of crippling the power of England, he replied that he must give up all hope of crippling or destroying the power of England so long as she maintained her vast commercial credit. So long as England maintained her vast commercial credit and superiority it was impossible that any power could injuriously affect her. Now, the question which they had to consider was, how should they best be able to maintain the credit of the country? With respect to the Bank Charter Act of 1844, he thought that it was imperfect in itself, and that it was not calculated to answer the purpose for which it was intended. It had not had the effect of preventing excessive speculation, neither had it prevented fluctuations in the exchanges; and in 1847 they had seen a most extraordinary variation take place in the rates of interest. He (Mr. M'Gregor) was prepared to contend that the Bank Charter Act of 1844 was a measure in which the country at large had no confidence—in which, in fact, no great interest in the country—neither the landed interest, the commercial interest, nor the shipping interest—had any confidence. He believed that the confidence of the country had been totally withdrawn from that Act; and he was convinced that the time was not far distant when the House would be obliged either totally to repeal that Act, or, at all events, to take the whole subject into consideration, with a view of producing a measure free from the most pernicious provisions which the present measure contained. Now, looking to the history of banking in Scotland, from the year 1695 down to 1847, he found that the whole amount of loss suffered by the public from Scottish banks did not amount to 10,000*l*. That was a proof how well that system worked. What the people of Scotland complained of was, that they were not allowed to go on in their own way—in the way they had found beneficial; but that that House came and prevented them from continuing to do their business in their own way. They had been told, in reply to their remonstrances, that one of the reasons of this interference was that the Bank of England was obliged to keep cash for the use of Scotland. There was one security against over-issue in Scotland—namely, the system that prevailed amongst the Scotch banks of exchanging their notes amongst each other. This operated perfectly as a check against over-issue. For the reasons he had stated, he felt bound to say that he could not see that the Bank Charter Act of 1844 was at all applicable to the circumstances of Scotland; and although he regretted to differ with the right hon. Gentleman the Chancellor of the Exchequer, he felt himself altogether unable to concur with him on the present occasion.

Mr. MASTERMAN felt desirous to

express his thanks to the right hon. Gentleman (Mr. Herries) for the Motion which he had brought before the House. He believed that the right hon. Gentleman who had originally brought forward this measure was not aware, with all his knowledge and with all his practical experience, that it was not at all practicable to limit the circulation of this country. When this measure was first brought forward by the right hon. Member for Tamworth, in 1844, he expressed his objections to the measure. On that occasion he brought forward a Motion to express his opposition; but which, as it was not in accordance with the forms of the House, he felt himself obliged to withdraw. He well recollected how he was taunted on that occasion by the right hon. Baronet the Member for Tamworth, for having expressed those objections to this measure which were now so generally entertained. Many hon. Gentlemen who were not so conversant with commercial affairs as he was, were not aware of the difference that existed between the issue and the banking department of the Bank of England. He believed, that the right hon. Gentleman, with all his good sense and his practical knowledge, was greatly mistaken with respect to this measure. His proposition was, that in order not any further to disturb the circulation or credit of the country, the Government should have the opportunity of taking from the issue department what money they required; and that that money should be replaced by the growing revenue of the country. That was his proposition, and he felt assured that it was a measure which, if adopted, would be found attended with the most beneficial effects.

Mr. HUME said, it was a matter worthy of inquiry how it happened that those crises and those panics which they had so recently witnessed, occurred so often in this country, and in this particular department—banking. When the Motion was made for the appointment of a Committee to inquire into the commercial distress, he (Mr. Hume) foresaw what would be the result, and he endeavoured to persuade the House not to consent to the appointment of that Committee. He foretold, that when they sought to probe and discuss this question, they would be told by the right hon. Gentleman that they should have patience until the Committee should have inquired into the subject, and should have made its report, It appeared, however, that the right hon. Gentleman and his Colleagues, without any inquiry—without the production of any correspondence—undertook for a certain period to repeal this Act of Parliament. The causes that led to that proceeding sufficiently showed the inadequacy of this Act to meet the purposes for which it was intended. He was sure that this proceeding had been undertaken by the right hon. Gentleman with the sincerest intentions; but when the right hon. Gentleman and the noble Lord undertook to suspend that Act, might not he ask, were they not in the situation of that bad judge to whom that right hon. Gentleman alluded, and who postponed inquiry till after he had adjudicated? He contended, that a measure or operation which affected the property of every individual in the community ought not to be subject to the caprice of any individual. This was a matter for the most grave and serious consideration. He would venture to say, that the losses incurred by the commercial interests of this country, arising out of the late commercial embarrassments, could not amount to less than 150,000,000*l*. It was impossible to estimate the extent of the injury that had been suffered in this way. Under these circumstances—seeing the extent of the evil that had arisen, and the extent of the injury that had been suffered—he thought that it should have been the first act of the Government to have brought this entire subject before the House, instead of referring it for inquiry to a Committee upstairs. During the late commercial crisis, men looked on with astonishment at what was taking place—nobody knew where it would end. During that period, an individual called on him and stated, that he had been obliged to pay 23 per cent, to relieve a bill of his, and that he should have to pay twice that amount of interest the next day to avoid ruin. With all due deference, he submitted that it was the duty of the Government to have taken the whole subject into consideration, and have brought it under the notice of the House. With but one exception, all hon. Gentlemen who had spoken that evening, were agreed that this Bill, which had worked so injuriously, ought to be repealed; for it was impossible to believe that the country would submit to have its monetary and commercial affairs placed in this state of jeopardy again. His own opinion was, that protection and interference had proved injurious to every interest in this country that had been protected. Protection and monopoly went hand in hand, and those interests

which they were applied to were invariably distressed; for instance, let them look at the effects of the system on the West India interest, the shipping interest, and the silk trade. In tracing every panic from 1793 to 1823, he found that every branch of business which was the most protected suffered the most, and was the most distressed. He attributed the commercial panics to the circumstance of the currency being on an improper basis, founded on false principles, and fostered by monopoly; and every attempt to palliate the evil effects had been a failure. He would do the right hon. Baronet (Sir R. Peel) the justice to believe, that in bringing forward his measure in 1844, he was actuated by the best intentions. However, there was only one part of that measure of which he (Mr. Hume) could approve, and that was that part of it which fixed the standard of value. The first operation of the Act was, that every bank in England, Scotland, and Ireland, knowing that the Bank of England could not assist it, was compelled to keep a much larger reserve; and the consequence was, that 7,000,000*l.* or 8,000,000*l.* of capital was thus locked up. Was not that a valid ground of complaint, even were there no other? All that had been predicted of the effects of the Act had now been realised, and the country was no longer in a condition to countenance the maintenance of it. The Act ought to be repealed at once. If the Motion of the right hon. Gentleman were carried, as he (Mr. Hume) hoped it would—that would amount to a virtual repeal. He could not understand how the Government could have the face to propose that it should be continued, after they had been compelled, as they themselves admitted, to suspend its operation for a short period, in consequence of its evil influence upon the trade of the country. He thought there ought to be an inquiry into the subject. Let them, then, with the experience they had had on this subject individually, both in and out of the House, supported by the experience which the right hon. Gentleman the Member for Stamford and the Chancellor of the Exchequer had gained by their official position—let them inquire into this matter, and he believed the result would be to satisfy them that the Bill ought not to continue in force. But if Her Majesty's Ministers did not choose to act consistently with themselves, let the House act. He thought it was the unanimous opinion that this Motion ought to be carried. He thought that they should judge the Bill by those principles which were now generally admitted as the leading principles that ought to govern the trade of this country; although there was a time, which he well recollected, when he could scarcely mention the name of free trade without exciting at least a smile upon the countenances of many hon. Members; but the time was now changed, and very few hon. Gentlemen stood up in that House who did not advocate that principle, unless it were that small number of hon. Gentlemen who called themselves Protectionists. He wished they were all quite unanimous with him. But seeing that the Government had been proceeding upon the principle of free trade —seeing that they passed every measure that they could to extend our connexions with foreign countries, to the extension of our own trade and the reception of foreign produce — seeing that they had opened every possible market for our manufactures—it was extraordinary to him that the right hon. Gentleman (Sir C. Wood) should still propose to continue this Bill, which all agreed was a restriction upon the trade of the country. Nothing could be more certain than that the feeling in Scotland was opposed to the principle of this Bill; at least every person with whom he had had any opportunity of communicating on the subject was perfectly convinced that the Bill of 1844 was a restriction upon the trade of the country; that it increased the difficulty of obtaining discounts, multiplied the difficulties of carrying on business, and of course caused great loss to the public. The public at large, of course, desired to benefit by the employment of their capital; and his Scotch friends all agreed that it was useless and unnecessary to retain so large an amount of bullion lying idle as this Act of necessity required. It was well known that in Scotland very little gold was in use. If gold were offered in payment to a Scotchman, it was looked at, turned over and over, and, in fact, the Scotchman would rather take a piece of paper than a sovereign. Was it not, therefore, extremely unsatisfactory to have this measure forced on an entire nation against their will, against their wish, and against their best interests? It was well known that in times of monetary pressure, both Scotland and Ireland had been of considerable assistance to their neighbours, and had been able to relieve them of a portion of their difficulties. He was rather surprised to

hear the Chancellor of the Exchequer say that the people of Scotland had no right to complain. What had been the actual result of the Act in that country? What was the amount of bullion generally in use in Scotland? He found that on the average of the two years, 1842 and 1843, the amount of gold in the banks of Scotland was 428,843*l.*; while in the two years, 1846 and 1847, the amount was 1,119,000*l.* —showing an increase of 800,000*l.* of bullion in the banks of Scotland upon the years 1842, 1843. With regard to the notes in circulation in the same periods, he found that in the years 1842, 1843, the amount of notes was, on the average, 2,700,000*l.*; while in the years 1846, 1847, it was 3,325,000*l.* And although the banks of Scotland during the latter period had been so pressed for advances, they had not issued notes for all the gold in their possession. But for this Act, they might have employed the whole of their capital; and yet they were told that the Bill did not tend to restrict the trade of the country. On this ground it was he complained that Scotland was crippled by this Act. At the time it was proposed, he had endeavoured, though he did not succeed in his opposition, to prevent its being passed; he divided the House upon every occasion, because he felt certain that with regard to Scotland it would prove highly injurious. Why should the people of Scotland be restricted in their trade, as it had been proved before Committees of that House they were, by this Bill of the right hon. Gentleman the Member for Tamworth (Sir R. Peel)? As to the loss that had been spoken of, he could not find that any had occurred. In 1840, Mr. Kennedy, in the evidence which he gave before a Committee of that House, declared that no loss had taken place in any Scotch bank, chartered or unchartered, since 1825. They must have free trade in banking; they must leave every bank free from restriction, except that which no doubt would be thought necessary—a deposit sufficient to guard against ultimate loss. He would have only one bank of issue, and that should be under the control of the Government, and every other bank should be allowed to carry on its own trade as might be deemed advisable by the proprietor. He would ask the right hon. Baronet (Sir C. Wood) whether he were prepared to bring in a Bill to limit the number of bakers, butchers, or tailors in any one town? He held it to be trifling with the great interests of the country, and he did not think the House ought to submit to the chance of the recurrence of such crises as those from which they were just now emerging. They would again occur if this Bill were allowed to continue. The Directors of the Bank of England had, no doubt, a very difficult duty to perform, and he did not mean to cast any blame upon them; they had to protect the interests of their proprietors as well as those of the public, and Parliament ought to relieve them from their difficulties. Let them trade on their own capital, and not upon that of the public. As the matter now stood, they were in a false position between applying their capital to serve the trade of the country, and supplying the wants of the Government. The free-traders proposed that every man should be allowed to help himself, to go to the cheapest market and to sell in the dearest, without the interference of the Government in the matter of banking, which, of all others, had the most important effect upon the interests of the trade and commerce of the country. It was not the banker or the merchant, it was the workmen and artisans, who suffered most by their interference in these matters. A witness had declared only a few days ago on a Committee that was still sitting upstairs, that he could not describe the loss and injury that was inflicted upon the poorer classes by the Act of 1844. He thought the House ought in justice to support the Motion of the right hon. Gentleman, and to compel the Government to bring in a measure which should place the banking system upon a proper footing—which would prevent the recurrence of such a crisis as that under which the country was now suffering. In conclusion, the hon. Member thanked the House for their attention, and hoped that ere long they would coincide in the opinions he had expressed.

Colonel THOMPSON having for thirty-seven years been something like an amateur student on this question, thought he might be considered as having an average right to give his opinion upon it on the present occasion. He understood it had been settled that there should not be any attempt to get up a currency debate, and that there was no idea of mooting the question of an inconvertible currency. Neither of these points, therefore, would he attempt to touch. The question, as he understood it, then, was, whether the Government was or was not bound to keep an office for utter-

ing Bank of England notes to accommodate traders who found themselves in need of assistance? It might be a rude comparison he was going to utter, but it struck him as a forcible one:—if any trader or many traders who found themselves in danger of appearing in that awful list which was published in the *Gazette*, conceived the possibility of taking 1*s.* a head from every passenger on the Great Northern Railway, and carried it out into practice, was it not clear that the assistance which they thus received was taken from the community? So was it, he was afraid, when a trader meditated obtaining assistance for the relief of his wants from the purse or chest in the Bank of England. That was the ground on which he was disposed to rest the success or non-success of this measure. The Act of 1844, if he understood it aright, was an Act for fending off, if he might use the word, all the demands of this kind which should pass beyond a certain rule considered by the Government to be one of discretion. The question was, whether that rule should be given up or not? He had heard it asserted that the Government had conceded the point, and that they had given up that rule. He doubted that statement, however, because he could see reasons besides an approbation of the law that might have guided them. It was somewhat difficult for a Government to resist the demands of men in distress. The present Government was not the only one that had been engaged in this practice. They were not responsible for its commencement, and therefore they were only to a partial extent responsible for its consequences. He had heard the words "free trade" and "monopoly" used in the course of the debate; but he wanted to know what that free trade was, and what that monopoly. There was a great want of clearness of ideas on this subject, for sometimes they were told it was one thing, and sometimes another. When free trade was advocated in that House, what were the arguments used by those who were called Protectionists? Whenever those Protectionists—if the term was lawful—attacked the rule of free trade, they were let down by the fact that all that they professed to give to one portion of the industrious classes was taken from another portion, so that the only result was that the consumers paid a higher price for the article, whatever it might be. Now, what part of this argument was applicable to the discounting of bills by the Bank of England? If Gentlemen on the other side saw any comparison between the two things, let them say so, and enlighten his darkness. In advocating free trade, his side of the House had been met with many taunts—they had been told they would next demand freedom of trade in the contents of other men's purses; and it was even said—he was not answerable for the applicability or decorousness of the saying—that they would demand free trade in females. They could only defend themselves from these taunts by demanding proof of how the argument for freedom of trade applied in the cases with which they were taunted; and they would demand the same proof now. If there was any applicability to the case of banking in these taunts, let it be proved, and he would yield his judgment to it. On the subject of Scotch banking, an hon. Gentleman said that 10,000*l.* was the only sum at issue. Now, the circulating medium of Scotland was stated at 3,000,000*l*; and he would ask whether that 3,000,000*l.* was to be placed to the account of the Scotch people, or carried off by their bankers? He should wish, like the hon. Member for Montrose, to see but one bank of issue, and to let the others confine themselves to what appeared to him to be the legitimate objects of banking. But the great question was, whether the Government were right in endeavouring to maintain those barriers that now existed against every man who, finding himself in difficulties, should think it right to apply to the public purse for help.

Mr. MUNTZ said, that he, like the hon. and gallant Member who had just sat down, (Colonel Thompson) was quite at a loss to understand what was meant by a free trade in banking; but he had now some hopes of his hon. Friend below, the Member for Montrose (Mr. Hume); he evidently had become wiser from experience, for he had stated that this country was subject to frequent crises of distress and panic; and he had truly said, that this was owing to our unsound and improper currency laws. The right hon. Gentleman in the chair might possibly recollect, as well as many hon. Members of that House, that in 1844, when the right hon. Baronet the Member for Tamworth introduced the Bill now complained of with all that pomp of circumstance which he so well knew how to assume, even when doubtful of the soundness of his proposals, he (Mr. Muntz) had then told him that he was confident he could

never carry out the Bill, but that there was one satisfaction in the measure, which was that it tied up both the right hon. Baronet himself and the Bank of England, and for the future prevented those relaxations of the system which had been resorted to for many years, and which had prevented the 1819 Bill from being carried out and understood. In future times of pressure, the soundness or impracticability of the system must be proved. The House might judge of the mortification he therefore felt when, last year, at the moment such proof was at hand, the Government interfered, and suspended the Bill of 1844. No doubt by such interference they prevented a crash, and saved many from ruin; but he (Mr. Muntz) was confident that a greater crash, and more ruin, would be caused by the re-enactment of that Bill, at a future period, than had been averted by the late suspension of it. But the extraordinary manner in which the Government acted ought to be noticed. Their very letter to the Bank described the Bill as perfection itself, and required that it should be put in force again with as little delay as possible: it seemed difficult to understand, if it were so perfect, why it had been relaxed. He, however, thought that hon. Members must have very short memories, or they would recollect that we had had many panics before the Bill of 1844 was enacted. He might refer to 1839, 1837, 1825, and others. It was therefore clear that that Bill was not the cause of the present difficulties, but the Bill of 1819, which was not yet half carried out. Why the Bill of 1844 was stated by its father, Sir R. Peel, and by its godfather, Sir Charles Wood, to be the complement of the 1819 Bill, and to be introduced because the 1819 Bill would not work alone; it was therefore too much for the hon. Member for Sunderland (Mr. Hudson) to say that this debate should be confined to the Bill of 1844. Then it was said by Ministers that the law had not been infringed by their letter to the Bank. But this was untrue; for although the Bank had not in a legal sense infringed the law, it had virtually done so, as when the Bank was protected by the Government letter, they could, and did, reduce their reserve of notes two millions lower than they otherwise durst have done, which produced the desired effect and reaction. The fact, however, was, that the theory upon which the right hon. Baronet the Member for Tamworth and the Chancellor of the Exchequer based their measures, was unsound, and therefore no good result could arise from their proceedings. And what was their theory? Why, they said that they never could reduce the circulation of Bank of England paper below fourteen millions without producing a reaction, and therefore if that sum was issued on securities, and the rest against gold, the whole circulation of paper and gold was together of the same value as if it were all gold coin. Now he (Mr. Muntz) denied this *in toto;* and he believed that no man in that House would have the assurance to get up and affirm, that the gold coin in circulation being fifty to sixty millions, and the bank-note circulation of the United Kingdom forty millions, the said joint circulation of paper and gold, being together one hundred millions, was of the same value as if it were all gold coin. If it were so, what was the advantage of having any paper? The only way to prove that it was of the same value would be to buy up the paper with gold, and thereby settle the dispute. But did the House know what had been the state of the circulation during the last 150 years? Why, from the establishment of the Bank of England till 1717, the notes in circulation had only reached two millions; in 1785 it had only increased during seventy years, to six millions; but in 1791 it was eleven millions; in 1795 it was thirteen millions; in 1796, sixteen millions; now, it was nearly forty millions—yet the same value of the coins and the same rate of the exchanges existed at every period he had named. Was not this proof enough that the coins and the circulation were of very different values? The truth was, that the circulation of metal and paper together had been depreciating for more than a hundred years, and there had been no standard of value; neither had there been more than a nominal convertibility, for whenever an attempt to convert was made, not twenty-five per cent could be effected without ruin, stagnation, and paralysis. That was a point of convertibility which really only regulated the quantity of paper in circulation, and that point or value of gold would not keep in circulation enough paper to support such a range of prices as was required to enable the country to pay its rents, taxes, and liabilities: the question which now wanted solving, therefore, was, what was the convertible value of paper with the precious metals, which would enable us to keep in circulation that quantity of paper which was required for the prosperity of the

country? It was clear to any one who looked minutely into the subject, that the circulation had been depreciated, as compared with the coins, upwards of thirty-three per cent, for a number of years, and therefore that the greater part of the debt and other liabilities had been contracted at such value. And how was it that such variation in value between the coins and the circulation caused the panics and ruin which we had repeatedly suffered from? Why, because the coins fixed the par of the exchanges, and thereby the selling prices of our manufactures in all other countries; such prices being lower than our taxes, rents, and liabilities would allow us to sell at without loss; and, therefore, when any circumstance arose which enabled our labourers to emancipate themselves from such loss, they raised their wages and prices above the price of their foreign competitors, and contracted the export trade; but the same circumstances increased the import trade, making a balance of payments against us which could only be paid in gold, and it needed then no bank screw, as it was called, to make money scarce; the natural effect was, that notes must go into the Bank to get the gold out, which of course reduced the circulation. And how did the reaction take place? Not by the legitimate course of trade, or the alteration of the exchanges, as was pretended, but because the pressure here reduced the value of Government securities and other property till foreigners were thereby induced to send gold here to buy them, and also because paper on England was at such discredit that no one would buy it, but would send gold instead. What had caused the late importations of gold? Certainly not improved exports, for trade had been constantly worse; and as to the discredit on drafts upon England, he (Mr. Muntz) need not refer to others for authority upon that subject, for he could assure the House that during the panic he had received letters from his correspondents in all parts of Europe, stating that the credit of English merchants and bankers was at such a low ebb, they could not, and would not, risk buying paper negotiable upon them, but that if he would draw upon them at ten days' date they would pay. He (Mr. Muntz) had heard it said in that House, during a late debate, that England was not in a disgraceful state; but he could fancy nothing more disgraceful for a commercial country than such a state of her merchants and bankers. He did not believe that the present state of trade would long continue; money would be abundant for want of employment, and when men had forgotten their late troubles they would speculate again, as they had before, perhaps in railroads, although they had been said to be the cause of the late panic; how they were so he (Mr. Muntz) could not well understand, for nearly all they were constructed of was obtained at home. But it was said that the labourers consumed so many articles of importation that they thereby deranged the monetary system. Why, what did that prove but that the system would not allow of the people being properly remunerated and fed, and therefore must be altered? The truth was, that with free trade, and the present so-called standard of value, or point of convertibility, panics must constantly recur, and each one would be more injurious than its parent. The following night he had no doubt would show them that if revenue was reduced by unnatural legislation, it must be made up in another way. No doubt an increase of property-tax would be again resorted to, and perhaps other means also. It had long been evident to him (Mr. Muntz), that in that House the dishonesty of extracting money out of men's pockets was not determined by the quantity extracted, but by the plan upon which it was done. For example, if any alteration of the system was proposed which might in a slight degree reduce the income of the public creditor, or annuitant, the proposer was designated as a thief; but if three times the amount is extracted from them upon what is called a principle it was said to be justifiable. He (Mr. Muntz) could not learn that the fundholder had lent his money expecting to pay property-tax, under all its inquisitions, and vexations, or that the small annuitant had ever heard of such intention; but it not unfrequently happened that those most ready to do unjust things were prompt in making charges against others. That he was then speaking in advance of the House, he felt assured; and that because hon. Members did not generally come in contact or collision with those circumstances which enabled them to judge upon such subjects. But the time would come when they would understand the question, and then he (Mr. Muntz) would go minutely into it; when they found a reduction in revenue with an increase of taxation, an inability to pay the dividends, and a population unemployed, they would think seriously upon the

subject; and when the Gentlemen opposite, from the effects of Continental prices of their agricultural produce, found their rents impaired, their land thrown out of cultivation, and their labourers in the overflowing workhouse, they would agree with him that a system which produced such results could not be honourable or justifiable. He could assure the House, such was the state of the export trade that he had entirely lost the sale of not one or two articles, which he used formerly to export in large quantities, but he had lost ten such trades, and was losing more, although such articles were consumed in larger quantities than ever, but were made elsewhere than in England; and unless some steps were taken to remedy the evil, the export trade would become valueless. With respect to the Motion of the right hon. Gentleman, he would with pleasure vote with him for the repeal of the Act of 1844; not that he believed that such repeal would prevent future panics, bnt because he considered it childish and absurd to keep upon the Statute-book a law which could never be carried into effect by any Government.

Mr. LABOUCHERE said, the right hon. Gentleman who had brought the subject before the House had urged them, with great earnestness, not to allow themselves to be drawn from it into a general discussion of the currency question, and had entreated them to confine their attention to the definite and distinct propositions he laid before them. The course the debate had taken had, no doubt, convinced the right hon. Gentleman that there was a great deal of danger in his plan of proceeding; and the speech of the hon. Member who had just sat down must more especially have shown him how difficult it was to keep within the exact question at issue, and not to wander into a wide field of inquiry into which the right hon. Gentleman had no intention of entering. In the few words he should address to the House he should confine himself strictly to the proposal immediately submitted to the House, and would seek to offer some reasons why they should not assent to the course proposed for their adoption. It had been admitted universally by every hon. Member who spoke on the question, that it would be unwise to make a reversal of the decision of the House to appoint a Committee. ["No, no!"] Hon. Gentleman denied this; but almost every one who had addressed the House in support of the Motion had had the candour to admit that it would be unwise to demand, not the mere suspension of the enactment till the Committee investigated the subject, but that it should not be called upon to pronounce the opinion that the present limitations and restrictions on the Bank to issue notes payable on demand should not continue. He considered that the Government, in moving for this Committee, had entered into an engagement to consider, maturely and fairly, the laws which now regulate banking in this country; and he, for one, was not so far prepared to prejudge the question as to pledge himself to the opinion that, after due inquiry, it might not be safe in some degree, and with certain restrictions, to relax the limitations placed upon the Bank of England. Holding the position he had the honour to fill, and connected as he was with the Government, he should think it wrong to prejudge a question which deserved such deep consideration; at the same time, he objected to the House pronouncing a decision on the subject after delegating the inquiry to a Committee. Such a course, without any change of the circumstances under which the Committee was appointed, would have no other effect than that of lowering the opinion of the country as to the wisdom of the House, and the value of their deliberations. The right hon. Gentleman who brought forward the question had admitted — and it had been forcibly shown by the right hon. Chancellor of the Exchequer—that if they looked to the circumstances which had occurred since the appointment of the Committee they would find anything but reason to alter the course they had determined to pursue. No one could affirm that there was anything in the present position of the Bank to inspire alarm, which did not exist when the Committee was appointed; on the contrary, the aspect of its affairs had improved, and it was more secure now than it had been then. It was quite true, as they had been told that night by an hon. Member, who was a Bank Director, they could not be sure this state of things might not alter; but when the hon. Gentleman, in order to point out good cause for apprehension, was obliged to go into questions of foreign policy and to enlarge upon the reasons which gave rise to his fears of disturbances in Europe, he saw no reason to join in the apprehensions of the hon. Gentleman, and could not believe that the hon. Gentleman would induce the House to depart from the de-

termination to which it had so recently arrived. Some hon. Members said that the law, as it stood at present, was condemned by all, and especially by the Government, because they had suspended some of its provisions; and the hon. Member for Montrose had urged that argument against it. But he denied the soundness of the assertion; for in his mind it was quite different in an emergency and for a temporary purpose, to suspend the operations of an Act of Parliament, and to pronounce condemnation upon its principle. On matters of this kind, let them frame laws as they pleased, it was utterly impossible that they could guard against the occurrence of circumstances which might call for the interference of the officers of the Crown. It was not, therefore, a just argument to say that, because, under circumstances of the most extraordinary pressure, and at a time when a variety of circumstances combined to undermine the commercial and financial affairs of the country, they had modified its provisions—they had condemned it. As to what had been said by the hon. Gentleman during the present discussion, with respect to the recent commercial distress — a distress which, although the panic had passed away, was only to be removed slowly and gradually — he was sure he could not speak without feelings of the deepest sympathy for individuals, nor without the strongest sense of the distress of the country at large. They had heard from his hon. Friend the Member for South Lancashire (Mr. Brown), a statement of the causes which, in his opinion, had produced that distress, and in two of them he entirely agreed. In the first place, he believed the importation of corn had very much to do with it; and in the next place, he agreed with his hon. Friend in attributing a part of the distress—though not so much as his hon. Friend—to the absorption of money to pay for railways; but he could not concur with him in thinking that the Banking Bill had produced any part of that melancholy state of affairs. Something had been said of over-speculation and overtrading, and great blame had been thrown on those who had expressed the opinion that the rash speculations of particular merchants was one of the causes which had led to embarrassment and distress. One hon. Gentleman went so far as to say that he would not call a merchant who imported to a very large extent on the chance of the market a speculator; but surely it was impossible to deny that he was a speculator, and might be a rash speculator in his importations, as well as any one else in a different line. He should be surprised to hear any one acquainted with the mercantile transactions of the country deny that the importing trade had not carried on their operations in a rash and imprudent manner, extending them far beyond the capital at their command; or that over-speculation had not largely produced the distress which had recently prevailed. That expression of opinion was, however, he hoped, perfectly consistent with the most sincere sympathy for the honourable men who had become victims; but, at the same time, he thought it would be shutting their eyes to the real facts of the case if they did not say that a very widely-spread spirit of speculation had added to those difficulties they all deplored. Let them adopt whatever system of banking they pleased, it would be impossible to have such a one as would enable merchants to go to the Bank and get credit when they wanted it. Speculation could only work its own cure; and if by fictitious and artificial means they had administered food to that spirit, it would only have protracted the evil, and the crash would at last have been more severe, and the ruin more widespread. He hoped the House would not, upon the present occasion, adopt a course which appeared to him entirely inconsistent with that unanimous vote by which they had appointed a Committee to inquire into the whole matter. He was told that to appoint a Committee was a mere farce —a mere way of getting rid of the whole question. All he could say was, that no step, with respect to the banking and monetary affairs of this country, had ever been taken yet, without the House thinking it necessary that all the circumstances of the case should be sifted and investigated by a Committee. He believed that there was great wisdom in that course, and that the details of these things could be better examined by a Committee upstairs than by the whole House. He hoped the House would not now depart from that wise and prudent course, nor take the subject out of the hands of a Committee so recently appointed, and thus adopt a precipitate step which might lead to the most unfortunate result.

Mr. HERRIES had only a few words to say in reply. The discussion had been almost exclusively upon one side of the House; but he believed the result would

be in favour of the Motion he had had the honour to make. In all sects and parties there had been a growing feeling and conviction that the system established by the Act of 1844 was defective, and must be modified by new legislation. The only semblance of objection which had been brought against his Motion was, that there was a Committee now sitting, and that it was the general rule for the House not to judge of questions consigned to the deliberation of a Committee upstairs. Certainly he had never meant his Motion to constitute an exception to that rule; but the Committee had not under consideration all the topics embraced in the propositions he had submitted to the House. The object he had in view was, that the stringent and dangerous parts of the Act of 1844 should be suspended until the Committee could make its report, and Parliament pronounce definitively upon the question, with a view to prevent the recurrence of such evils as they had recently witnessed.

The First Resolution moved by the right hon. Gentleman was agreed to.

On the Second Resolution being put,

The House divided:—Ayes 122; Noes 163: Majority 41.

List of the Ayes.

Anderson, A.
Anstey, T. C.
Arbuthnott, hon. H.
Bagshaw, J.
Bailey, J.
Bailey, J. jun.
Baldock, E. H.
Bankes, G.
Baring, T.
Barrington, Visct.
Bell, M.
Bennett, P.
Bentinck, Lord G.
Blewitt, R. G.
Bouverie, E. P.
Bremridge, R.
Broadley, H.
Broadwood, H.
Brown, W.
Bruce, C. L. C.
Buck, L. W.
Buller, Sir J. Y.
Burghley, Lord
Burrell, Sir C. M.
Caulfield, J. M.
Cayley, E. S.
Cholmeley, Sir M.
Christopher, R. A.
Codrington, Sir W.
Cole, hon. H. A.
Coles, H. B.
Compton, H. C.
Conolly, Col.
Corbally, M. E.
Cowan, C.
Crawford, W. S.
Davies, D. A. S.
Deering, J.
Disraeli, B.
Dodd, G.
Duff, G. S.
Duncan, G.
Dundas, G.
Edwards, H.
Ellice, E.
Farrer, J.
Floyer, J.
Forbes, W.
Fordyce, A. D.
Glyn, G. C.
Granby, Marq. of
Greenall, G.
Greene, J.
Gregson, S.
Grenfell, C. P.
Grenfell, C. W.
Gwyn, H.
Hall, Col.
Hamilton, G. A.
Hamilton, J. H.
Harris, hon. Capt.
Hastie, A.
Henley, J. W.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hildyard, T. B. T.
Hodgson, W. N.
Hood, Sir A.
Hope, Sir J.
Hope, H. T.
Hotham, Lord
Hudson, G.
Hume, J.
Humphery, Ald.
Ingestre, Visct.
Law, hon. C. E.
Lockhart, W.
Long, W.
M'Gregor, J.
Manners, Lord G.
Masterman, J.
Maunsell, T. P.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Moody, C. A.
Morgan, O.
Morris, D.
Mowatt, F.
Muntz, G. F.
Mure, Col.
Neeld, J.
O'Brien, W. S.
O'Flaherty, A.
Osborne, R.
Ossulston, Lord
Packe, C. W.
Pattison, J.
Perfect, R.
Plumptre, J. P.
Renton, J. C.
Rufford, F.
Sandars, G
Scholefield, W.
Scott, hon. F.
Seeley, C.
Sibthorp, Col.
Smith, M. T.
Smith, J. B.
Spooner, R.
Stuart, J.
Sullivan, M.
Thompson, Ald.
Tollemache, J.
Trelawny, J. S.
Trollope, Sir J.
Urquhart, D.
Wawn, J. T.
Westhead, J. P.
Williams, J.
Williamson, Sir H.
Willoughby, Sir H.

TELLERS.
Beresford, Maj.
Newdegate, C. N.

List of the Noes.

Abdy, T. N.
Adair, H. E.
Adair, R. A. S.
Anson, hon. Col.
Anson, Visct.
Armstrong, Sir A.
Barkly, H.
Baring, rt. hon. F. T.
Bellew, R. M.
Berkeley, hon. H. F.
Birch, Sir T. B.
Blake, M. J.
Bowles, Adm.
Bowring, Dr.
Boyle, hon. Col.
Bramston, T. W.
Brockman, E. D.
Brotherton, J.
Bunbury, E. H.
Busfeild, W.
Campbell, hon. W. F.
Cardwell, E.
Carter, J. B.
Cavendish, hon. G. H.
Charteris, hon. F.
Chichester, Lord J. L.
Childers, J. W.
Christy, S.
Clay, J.
Clay, Sir W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Clifford, H. M.
Cobden, R.
Cochrane, A. D. R. W. B.
Colebrooke, Sir T. E.
Corry, rt. hon. H. L.
Cowper, hon. W. F.
Craig, W. G.
Currie, R.
Davie, Sir H. R. F.
Deedes, W.
Devereux, J. T.
Drummond, H.
Duncuft, J.
Dundas, Adm.
Dunne, F. P.
Ebrington, Visct.
Ellice, rt. hon. E.
Elliot, hon. J. E.
Fitzwilliam, hon. G.
Foley, J. H. H.
Fox, R. M.
Gardner, R.
Gibson, rt. hon. T. M.
Gower, hon. F. L.
Graham, rt. hon. Sir J.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hall, Sir B.
Hamilton, Lord C.
Hay, Lord J.
Hayes, Sir E.
Hayter, W. G.
Headlam, T. E.
Heathcote, Sir W.
Heneage, G. H. W.
Henry, A.
Heywood, J.
Hindley, C.
Hodges, T. L.
Hollond, R.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Hutt, W.
Jackson, W.
Jervis, Sir J.
Jervis, J.
Keogh, W.
Keppel, hon. G. T.
Kershaw, J.
King, hon. P. J. L.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lemon, Sir C.

Lewis, rt. hon. Sir T. F.	Sheil, rt. hon. R. L.
Lewis, G. C.	Shelburne, Earl of
Lindsay, hon. Col.	Sheridan, R. B.
Locke, J.	Simeon, J.
Lockhart, A. E.	Slaney, R. A.
M'Naghten, Sir E.	Smith, J. A.
Mahon, The O'Gorman	Somerville, rt.hn. Sir W.
Marshall, J. G.	Spearman, H. J.
Marshall, W.	Stanley, hon. E. J.
Martin, C. W.	Stansfield, W. R. C.
Martin, S.	Strutt, rt. hon. E.
Matheson, Col.	Stuart, Lord D.
Maule, rt. hon. F.	Stuart, H.
Mitchell, T. A.	Talbot, J. H.
Monsell, W.	Talfourd, Serj.
Moore, G. H.	Tancred, H. W.
Morpeth, Visct.	Tenison, E. K.
Mostyn, hon. E. M. L.	Thicknesse, R. A.
Nugent, Sir P.	Thompson, Col.
O'Brien, T.	Thornely, T.
O'Connell, M. J.	Towneley, J.
Ord, W.	Townshend, Capt.
Paget, Lord A.	Traill, G.
Paget, Lord C.	Turner, G. J.
Pakington, Sir J.	Vane, Lord H.
Palmerston, Visct.	Verney, Sir H.
Parker, J.	Walmsley, Sir J.
Pearson, C.	Ward, H. G.
Peel, rt. hon. Sir R.	Watkins, Col. L.
Pigott, F.	West, F. R.
Pilkington, J.	Willcox, B. M.
Power, Dr.	Wilson, M.
Raphael, A.	Wood, rt. hon. Sir C.
Ricardo, O.	Wood, W. P.
Rich, H.	Wrightson, W. B.
Romilly, J.	Wyld, J.
Rutherfurd, A.	Wyvill, M.
Sadleir, J.	TELLERS.
Seymer, H. K.	Tufnell, H.
Seymour, Lord	Hill, Lord M.

House adjourned at a quarter before Twelve o'clock.

HOUSE OF LORDS,

Friday, February 18, 1848.

MINUTES.] *Took the Oaths.*—Several Lords.

PETITIONS PRESENTED. By several noble Lords, from various places, against the Admission of Jews into Parliament.—From Roothing, for the Adoption of Measures to Impose the Severest Penalties on all those Roman Catholic Priests who shall Denounce Persons from the Altar.—From Stirling, for Repeal of the Bank Charter Act (1844), and for Alteration of the Scotch Banking System.—From Kincardine, for Revision of the Laws regulating the Currency.—From Clerks, Masters and Matrons of various Workhouses, for a Superannuation Fund for Meritorious Officers who may become disabled.—From Glasgow, against the Diplomatic Relations with the Court of Rome Bill.—From Forres, for Alteration of Law respecting Prison Assessment (Scotland).—From William Ferdinand Wratislaw, of Rugby, complaining of an Overcharge of Postage on Foreign Letters.—By the Duke of Beaufort, from the City of Bristol, for the Removal of the Jewish Disabilities.—From Gloucester, for Sanitary Reform.—From Perth, for Revision of the Stamp Duties, and for Reduction of the Duty on Tea.—From Paisley, for the Better Observanee of the Sabbath.

DIPLOMATIC RELATIONS WITH THE COURT OF ROME BILL.

The MARQUESS of LANSDOWNE having moved that the House do now resolve itself into Committee on the Diplomatic Relations, Court of Rome, Bill,

EARL FITZWILLIAM rose, and begged to be permitted to make a few observations before their Lordships went into Committee on the measure before the House—a measure which he thought was called for by the present circumstances of Europe. A noble Lord (Lord Stanley) who was opposed to the measure, seemed to think that it was not of much importance whether this country entered into, or was capacitated to enter into, diplomatic relations with a small State; but he (Earl Fitzwilliam) conceived, that whether the State was a small one, or was not a small one, was not the question they had to decide. They must know from the history of this country, and from the history of Europe, that the pivot on which the great affairs of Europe had frequently turned, was to be found in countries of no great extent as to size. He thought it was a matter of the greatest possible consequence that they should be enabled to enter into diplomatic relations with the Court of Rome, and for this reason—a fearful struggle was going on in Europe between absolute government on the one hand, and free institutions on the other; and it was most essential, not alone for the happiness of Europe, but also as regarded the position which this country should occupy in Europe, that they should be enabled calmly and judiciously, with the moral weight which belonged to this country, to communicate with all the Powers of Europe. When they reflected on what was going on in Europe, it must be apparent that a great deal depended upon the conduct of the Sovereign of Rome; and, therefore, it appeared to him (Earl Fitzwilliam) to be a matter of the utmost consequence that they should be enabled to enter into diplomatic relations with that Court; not, however, for internal purposes, or for such purposes as had been insinuated by those noble Lords who were opposed to the Bill. It had been alleged that this Bill had been brought in as a concession to the Roman Catholics of Ireland; but he trusted it was not brought in as a concession either to the Roman Catholics of Ireland or the Roman Catholics of England; and he ventured to express this opinion, that if this Bill should pass, the very last subject on which the Government of the country should communicate with the Court of Rome was, that which had reference to the relations which it

should have with its own Roman Catholic subjects. He felt it to be so desirable that a measure of this kind should pass, that he was ready last night to vote for the second reading of the Bill; he was now ready to vote for going into Committee; and if no Amendment were moved, he would be ready to vote for the third reading of it. Nevertheless, he could not but express the regret he felt at the Bill having been conceived and drawn in its present form. It recited in the preamble two enactments, fundamental laws of the country, declaring the circumstances under which the Crown might be forfeited by its possessor, but having no reference to the sending of an embassy to Rome; and then it was enacted that it shall be lawful to send an ambassador to Rome. Some noble Lords went the length of stating that the words "holding communion with Rome," meant sending an ambassador to Rome. He entirely disagreed with that construction. Did they call the sending an ambassador to Lisbon, or an ambassador to St. Petersburgh, "holding communion" with Portugal, or "holding communion" with Russia? "Holding communion with Rome" could not possibly be construed to mean any such thing. In the statute the words were applied in a purely theological sense — they clearly meant receiving the sacraments, and worshipping according to the forms of the Romish Church, and not the sending an ambassador to Rome. In their endeavour to affix a new meaning to the term, noble Lords deprived the term of its old meaning. In his opinion the Bill had been unfortunately drawn for the object it proposed to effect. Reference had been made to the case of Lord Castlemaine. Did noble Lords suppose that if any case of treason could have been made out against Lord Castlemaine, that Parliament would have stopped short of it? He agreed, generally, in the principle of the Bill, but at the proper period he should propose that their Lordships make such an alteration in the preamble as would more clearly define the object of the measure. He should propose that the preamble declare simply that doubts having existed on the subject, it was expedient and necessary that those doubts should be cleared up. Another Amendment appeared on the Paper of the House—he alluded to the Amendment to be proposed by the noble Duke (the Duke of Wellington); and he must confess that, notwithstanding the high quarter from which that Amendment came, he (Earl Fitzwilliam) did not consider it at all necessary. If any danger should arise it would not be from the Court of Rome.

LORD CAMPBELL said, he perfectly agreed with his noble Friend that there existed at the present moment nothing in the common law or the statute law of this realm to prevent Her Majesty establishing diplomatic relations with the Court of Rome. He had several times had occasion to express a similar opinion. The matter first came before him when he had the honour of holding the office of Attorney General; and then, and ever since, he had always maintained the conclusion that there was no law or statuteto prevent the Sovereign of England from sending an accredited ambassador to the Court of Rome. But although that was the opinion of the humble individual then addressing their Lordships, it was by no means the general opinion; and certainly for 180 years no such relations had been maintained. Many high authorities, both in and out of their Lordships' House, thought very differently. The right rev. Prelate (the Bishop of Exeter) had stated that the Bill then before their Lordships would virtually repeal the Bill of Rights and the Act of Settlement. There was a general opinion—an opinion as erroneous as it was general—that if any Government ventured to send an ambassador to Rome, for purely political purposes, without first obtaining the consent of Parliament, the Members of that Government would bring upon themselves fearful consequences. Much of the argument of parties who took that view was built upon the assumption that sending an ambassador to Rome would be holding communion with the Holy See. He quite agreed with the noble Earl (Earl Fitzwilliam), that it would be nothing of the kind. But as those different opinions were held, he thought, in the language of the preamble, that it would be "expedient and necessary" for Parliament to sanction this Bill. If doubts existed, those doubts could only be determined by the Legislature stating authoritatively what was the meaning of the Legislature in former days. Some persons say that the Bill of Rights and the Act of Settlement prohibit direct diplomatic communication with Rome. Others, like himself, say that they do not. The Bill merely says that they do not, and that the Queen may, at Her Royal pleasure, send an ambassador to Rome. He saw no objection to the form of the Bill; and when it had

received such consideration and amendment as might be deemed expedient by noble Lords, he trusted that it would also receive the assent of their Lordships' House.

House in Committee.

LORD STANLEY observed, that the preamble of the Bill cited the Bill of Rights and the Act of Settlement, and then the first enacting words were—

"That notwithstanding anything contained in the said recited Acts or either of them, or in any other Acts now in force, it shall and is hereby declared lawful, &c."

Now, although he thought Her Majesty's Government in reciting the Bill of Rights and the Act of Settlement, and thus putting the case plainly before the public, had done no more than their duty, he must confess that, instead of clearing up all doubts on the subject, the Bill seemed still to leave some doubts on the subject. What could be the reason for reciting two Acts by name, and then inserting the words, "any other Act or Acts?" He was very much inclined to think it would be better to strike the Bill of Rights and Act of Settlement out of the preamble, and, adopting the words of the noble Earl (Earl Fitzwilliam), follow on with the enacting clause. It would then run thus:—

"Doubts having arisen as to the legality of establishing diplomatic relations with Rome, it is expedient that those doubts should be removed. Be it therefore enacted, that notwithstanding any Act or Acts now in force to the contrary, &c."

EARL FITZWILLIAM concurred with the noble Lord that it would be better to strike out the preamble and substitute the words he (Earl Fitzwilliam) had suggested.

The MARQUESS of LANSDOWNE had not the least hesitation in saying that he quite agreed with the suggestions of the noble Earl on that side of the House, and the noble Lord opposite. He was of opinion that it would make the intention of the Act better understood. However little doubt he might have himself as to the legality of diplomatic relations with Rome, he saw the expediency of clearing up all doubts. Many friends, for whose judgment he felt a great respect, thought that the present law prohibited diplomatic relations with Rome. The Bill, as proposed to be amended, came much nearer to the expression of his own opinion than it did in its present shape, and if it met with the pleasure of their Lordships, he would move that the words suggested be substituted.

LORD STANLEY said, there could be no question as to the fact that doubts were entertained, and he quite agreed with the Members of Her Majesty's Government that the law should be properly defined for the future. The adoption of the Amendments would avoid any ambiguity.

The BISHOP of WINCHESTER suggested that if any alterations were introduced, some words should be substituted for the term "Sovereign Pontiff," to which he had last night objected.

LORD REDESDALE did not clearly see the necessity for the measure. The right of the Crown to appoint ambassadors was not under any Act of Parliament.

LORD CAMPBELL: The Act does not authorise the appointment of an ambassador. It only says that the prohibition contained in other Acts of Parliament shall have no effect.

The BISHOP of EXETER: The preamble states that it is expedient for Her Majesty to enter into diplomatic relations with Rome. There is not one word directing the appointment of an ambassador—a power which Her Majesty has, if not prohibited by special enactment.

The MARQUESS of LANSDOWNE: Might I suggest to the right rev. Prelate (the Bishop of Winchester), whether the words, "Sovereign Pontiff of Rome," would not meet his objection?

The BISHOP of WINCHESTER: The words suggested by the noble Lord the President of the Council, however desirous I may feel to accede to anything proceeding from his Lordship, will not meet the objection which I feel to the term "Sovereign Pontiff." I entirely agree with what fell from a noble Lord on the cross-benches last night, that the terms "His Most Christian Majesty," and "His Most Catholic Majesty," as applied to the Sovereigns of foreign countries, are strictly and purely expressions of courtesy; but it is not so with respect to the term "Sovereign Pontiff." That expression sounds, in my ear, something like the recognition of a claim which has been at different periods of our history prosecuted by the head of the Church of Rome—a claim of supremacy, which if not exercised over other States, or over other laymen, would at least be claimed over other ecclesiastical persons. I should be the last to suggest a substitute for the term which, even by implication, could be construed into anything offensive to the head of the Church of Rome. I do not ask you to use the term "Bishop of

Rome," although I find it adopted in other Acts of Parliament. I have great scruples, and I would make great sacrifices to meet the scruples of others from whom I have the misfortune to differ. I would not suggest the words "Bishop of Rome," or "Pope of Rome," but I would suggest the substitution for the term "Sovereign Pontiff," the words "Sovereign of the Roman States;" and I am the more induced to adopt that term because I find it used in the Amendment to be moved by the noble Duke (the Duke of Wellington). The right rev. Prelate concluded by moving his Amendment.

The Earl of SHREWSBURY: Though I see no objection to the Amendment of the right rev. Prelate, yet I am satisfied that he labours under a misconception of the real meaning of the term to which he objects—"Sovereign Pontiff." My Lords, this is a purely civil title, whilst the Latin spiritual appellation, *Summus Pontifex* should be translated "Supreme Pontiff." In the Italian, the distinction is still more remarkable. *Il Sommo Pontefice* is his ecclesiastical, *Il Sovrano Pontefice* his civil denomination. The right rev. Prelate knows as well as I do that the spiritual supremacy of the Pope depends upon his being Bishop of Rome.

The Bishop of ST. DAVID'S contended that the words "Sovereign Pontiff" did not imply any recognition of the spiritual power or authority of the Pope; and that some of the most sincere and gifted Protestants had used the term frequently in the simple meaning of the Pope as Sovereign of the Roman States. He had been attacked for using a similar assertion on the preceding evening; but he had since looked into the works of some of those historians who could not be suspected of leaning to Popery. Hume, who, if he could not properly be called a Protestant writer, could, at all events, never be charged with a leaning towards Popery, had used the words "Sovereign Pontiff" as his own phrase, when detailing the circumstances of the reception of Thomas à Beckett by Henry II.; and Dr. Robertson, in detailing the relative positions of the several States of Italy, applied to the Government of Rome the term "Holy See." So that it was quite evident that the use of those terms involved no recognition whatsoever on the part of Protestants of the spiritual power of the Roman Pontiff. He wished, therefore, that his right rev. Friend, as he trusted he might call him, who was at all events his right rev. brother (the Bishop of Exeter), had spared himself the use of those uncharitable observations and reflections which must necessarily give pain to others, without being productive of any good. So much holy indignation was thrown away upon so trifling a subject, and it was not calculated to serve the cause of truth and true religion. As a friend, or simply as a brother, he begged him to refrain a little, and not to be so lavish of his precious balm, or at least to pour it on more mercifully.

The Bishop of EXETER thanked his right rev. Friend for the manner in which he had addressed himself to the remarks which he (the Bishop of Exeter) had felt it his duty to make upon the speech of his right rev. Friend on the preceding evening. And he assured his right rev. Friend and their Lordships, that if he were convinced of the incorrectness of the observations he had made, his apology to his right rev. Friend would be as ample as his censures—for he admitted that they were censures upon his right rev. Friend—had been severe. But his opinion remained still as it had been on the preceding evening. And he still thought that the manner in which his right rev. Friend had spoken on the preceding evening, and the whole tone of his observations upon the subject, did call for the expression of feeling which he (the Bishop of Exeter) had used, and to which he had no hesitation whatever in giving utterance. And as to the proofs which his right rev. Friend had produced upon the present occasion in corroboration of his assertion that Protestant writers had used the term "Sovereign Pontiff," to what extent did they go? Why, merely that Protestant, or persons who chose to call themselves Protestant historians, had, when speaking of transactions which had taken place during times when the supremacy of the Pope was acknowledged, applied the term "Sovereign Pontiff" to him. Why, he (the Bishop of Exeter) would not have felt surprise if his right rev. Friend had produced examples of Protestant historians writing within the last ten years, who had used the term loosely. But the production merely of passages written by Hume and Robertson, of transactions that had taken place in the reigns of Henry II. and John, was a sort of proof for which he (the Bishop of Exeter) had really to thank him. The real question to be considered was, whether this Protestant House of Parliament, and

particularly they who were Prelates of the Protestant Church, should in a solemn act of legislation give to the Pope the title of "Sovereign Pontiff," thereby implying that he was their sovereign. Was the Pope, in short, to be considered their *episcopus episcoporum?* He begged to refer them to the five orders of episcopacy, as laid down by Gratian. They were—first, bishops; second, archbishops and metropolitans; third, primates; fourth, patriarchs; and fifth, the Pontifex Summus. If, therefore, they were to be obliged to apply the term to the Pope, would it not be an acknowledgment of him as the supreme head of their episcopacy? Were they to be obliged to use the expression for the first time in an Act of Parliament?

LORD COLCHESTER suggested that it might so happen that the sovereignty of the Roman States might not always be vested in the Pope. The Sovereign of Rome and the Sovereign Pontiff might be different persons.

The MARQUESS of LANSDOWNE said, that the only sense in which the term "Sovereign Pontiff" had been introduced into the Bill was that of its being the ordinary appellation of the Sovereign of the Roman States. But if there could be any doubt upon the subject, Her Majesty's Government would be most anxious to remove it. It was not for a moment to be supposed that the term "Sovereign" would be understood in the sense of an acknowledgment of spiritual authority. No such meaning was or should be annexed to it; and if other words could be found to express the temporal meaning, the Government would have no objection. An Amendment had been proposed on the preceding day by the noble Duke (the Duke of Wellington), to which he (the Marquess of Lansdowne) had at once given his assent, in which the term "Sovereign of the Roman States" had been inserted instead of "Sovereign Pontiff." And he was ready to accept that term in the sense in which his noble Friend near him had said that it was generally accepted in Italy. He was willing to adopt the expression "Sovereign of the Roman States."

The DUKE of WELLINGTON said, he had use the words "Sovereign of the Roman States" purposely, because he understood the Bill as being a Bill to regulate the political relations with that Court exclusively, and as not having any allusion whatever to matters of a religious or ecclesiastical nature. The only relation which the Bill was to open was a political relation, and therefore it was that he had used the words "Sovereign of the Roman States," instead of "Sovereign Pontiff;" because, as it appeared to him, the term "Sovereign Pontiff" related to religion.

Clause as amended agreed to.

The EARL of EGLINTOUN then rose to move the Amendment of which he had given notice. Notwithstanding the various arguments he had heard to prove that no danger could arise from the passing of the Bill in its present state, he still remained of the same opinion, for the maintenance of which he had been (probably very properly) rebuked by the right rev. Prelate opposite (the Bishop of St. David's), who had charged him with having formed it too hastily. He (the Earl of Eglintoun) was of opinion that diplomatic relations might be entered into with the Court of Rome. But he thought that they ought to guard that Bill with the most anxious care. They should bear in mind that the Pope exercised a very great spiritual influence over a large portion of their fellow-subjects; and if the Bill were to be allowed to leave the hands of the Committee in its present shape, he (the Earl of Eglintoun) would be obliged to record his vote against it on the third reading. But if their relations with the Court of Rome were confined strictly to secular affairs, he thought there would be no cause for fear. Much as he wished to see an ambassador in this country from Rome, he should conceive the advantage too dearly bought if he were to allow the Bill to pass in its present shape. He therefore moved, in page 2, line 26, after the the word "whatsoever," the following words—

"Not being in holy orders in the Church of Rome, nor a Jesuit or member of any other religious order, community, or society of the Church of Rome, bound by monastic or religious vows."

The MARQUESS of LANSDOWNE would state in a few words the grounds, and the only grounds, on which he felt himself compelled to oppose the Amendment. The noble Earl had stated, in the course of his speech, that he had heard none but trivial reasons assigned for opening this matter. Those trivial reasons were such as to induce successive Ministers and successive Governments to evade the law. He should have thought that the statement made by the noble Duke (the Duke of Wellington) would have been sufficient to convince the noble Earl that no trivial grounds, but a

most important State necessity and expediency, required the establishment of these relations.

The EARL of EGLINTOUN: I stated that the noble Marquess had given only trivial grounds.

The MARQUESS of LANSDOWNE trusted that the noble Lord would allow him to think they were important, and he should press their consideration, in the present state of affairs, with the growing necessity of diplomatic intercourse, and under the peculiar circumstances of that part of Europe in which it was desired to establish the intercourse, and expedient to have the most authentic information. He was desirous only that Her Majesty should be placed in this respect on the same footing with the other Protestant Sovereigns of Europe. The noble Lord, by his Amendment, desired that She should not be so placed; he desired to put a limitation on Her Majesty's prerogative which did not exist in any other Protestant country entertaining relations with the See of Rome. He would not go into the invidious argument of what might be the personal or the political qualifications of the person who might be selected for the purpose of carrying on these diplomatic relations. He was far from saying that there ought not to exist, as there did exist with respect to all diplomatic relations, and as there would exist in this country after this Bill was passed, a power not to receive—a power, if necessary, to reject—any person who might be distasteful, from character, position, or any other quality, to the Sovereign or people; but he apprehended that if they authorised the establishment of diplomatic relations at all, it was in the hands of the Government or Sovereign that this power ought to be placed. He had not the slightest hesitation in saying that it might be convenient in this case to exercise the power with more peculiar caution than in any other. He thought it would be the duty of the advisers of Her Majesty so to advise Her; but he could not understand, when it had been stated that the King of Prussia did not receive a diplomatic Minister from Rome, because he did not receive him, in virtue of the exercise of his own will and judgment as Governor, that Her Majesty should be placed under disability in that respect to which other Protestant Sovereigns were not subject. It was stated rather incorrectly by a noble Lord who spoke last night, that with respect to Prussia it had been the subject of a Concordat, or a proposition for a Concordat. There was no pledge on the part of the Sovereign of Prussia that he would not receive any Minister, if he were an ecclesiastic, from Rome; but it was true, that owing to an understanding of the inconvenience which was thought to attach to particular parts of the Prussian dominions, no such Minister had arrived. It would be inexpedient to introduce a provision into the Bill to debar Her Majesty from accepting persons who might be best qualified, under all the circumstances, for the purpose. It was highly probable that a person in holy orders would be employed in a special mission by a country in which many of the most able men were entirely of the ecclesiastical order. Such a provision might have the effect of precluding the Court of Rome from sending a person of the most unobjectionable character, because he belonged to an excepted class; while, under the noble Lord's clause, there would be no security against a layman who might be of the most artful character. He only wished this Bill to provide for all contingencies. He hoped their Lordships would not admit this restriction, which must necessarily give rise to a jealousy on the part of the Sovereign with whom we were about to enter into amicable relations.

The EARL of ABERDEEN: My Lords, I mean to give my cordial assent to the proposition which has been made by the noble Earl. Although I think that many advantages may attend this Bill, I foresee that it must be attended also with as great an amount of inconvenience, and I think that the proposition of the noble Earl tends to remove one of the causes of difficulty. I must declare that I deprecate the residence of a Papal Nuncio in this country. My Lords, this is not from any anti-Catholic feeling on my part, but the contrary: all my life I have contributed humbly my mite to relieve the Roman Catholic subjects of Her Majesty from their disabilities, and restore to them their privileges of British subjects; but it entirely proceeds from my conviction of the great inconveniences which would result from the unrestricted presence of such an agent. It has been said that it would always be in the power of Her Majesty to refuse to receive any Ambassador or any Minister whom it might be in contemplation to send. I know that is the case. I have had some experience of the duty; and I can assure your Lordships a very disagree-

able and painful duty it is to exercise. The Pope himself certainly knows that such may be the case; for it is very recently that he himself has refused to receive a Minister from the Court of Belgium, for a singular reason, coming from the Court which he did, viz., because the gentleman, who was a highly respectable person, and who, I believe, has been a Minister in his own country, was somewhat too liberal. Let us consider what the character of the Nuncio really is. In the first place, the Nuncio must be an ecclesiastic. I believe that, in the whole history of Rome, there is no instance of a Nuncio who is not a Prelate and Archbishop; and being such, in this country, he is invested with full spiritual authority over the whole Roman Catholic Church in the country to which he is sent. It is, in fact, transferring the Vatican to London, so far as the spiritual affairs of Roman Catholics are concerned in this country. Now I had rather see the authority, if it must exist, remain at home, than be transferred here. The jurisdiction of a Nuncio is in fact supreme over the spiritual affairs of the Roman Catholics in the country to which he is despatched: it approaches nearly to that of an *alter ego*, and spares the necessity of a reference to Rome in all those cases in which such reference otherwise takes place. The noble Marquess has referred to the case of the King of Prussia; but there is no instance of the Roman See having ever sent a Minister to any Protestant country. As I apprehend, the case of Prussia is this:— From the gratitude that was felt towards the King of Prussia, a proposal was made that the King should send a Minister to Rome. The King agreed to the proposal, accompanied at the same time with an explicit declaration that no Minister could be received at Berlin from the Court of Rome. Attempts have been made since, I believe, to ascertain whether that decision is still adhered to; and the same answer has been distinctly given. If any Minister were sent to the Court of Prussia, there would be less objection, even if he had the character which I deprecate seeing here, because the King has not only numerous subjects who are Catholics, but he has the Catholic religion established in many parts of his dominions. The Catholic Church is in possession of all its temporalities, and is connected with the State in the manner in which it necessarily must be under such circumstances; but we have no such control over the Catholic Church in this country; we have no other security except that of the loyalty and obedience which every subject owes to Her Majesty; but we have not the security which the ample possessions and the dignities and the privileges which the subjects of the King of Prussia have in many parts of his kingdom afforded, and which must necessarily give the Government a great control over the Church so established. Then let us look, not only at the power the Nuncio would exercise in this country, but at the character and position in which you would place him. Your Lordships may recollect that at the Congress of Vienna a declaration and agreement was entered into by the Powers who were parties to that treaty, by which the regulations of the different ranks of the diplomatic service took place. The diplomatic service was divided into three ranks. The first consisted of Ambassadors, Legates, Nuncios; and it was specifically mentioned that nothing contained in it should prejudice the admitted practice with respect to the representatives of the Pope. Now, in all cases where the Pope sends a Nuncio, it is to those Sovereigns whom he styles his "dear sons," and consequently to Catholic States only, and those Sovereigns, therefore, do not object to receive him in that character; and universally it is the case that the Papal Nuncio takes precedence of all Ambassadors and of all Ministers in all Catholic countries, in contravention of the regulations entered into by the Congress of Vienna by which all Sovereigns are equal, and the rank of their Ministers is decided entirely by the period of their arrival in the country; but the Papal Minister sets aside that regulation, and takes a rank and precedence over the Ambassadors and Ministers of all others. Now in this country it is not much the practice for the diplomatic body to meet together, and to be represented by one of their number; but sometimes they do consult together, and whenever such is the case, the Nuncio would be the organ of the diplomatic body. Paris, Vienna, Naples, and every Catholic Court, of course feel no objection to admit his precedence or superiority. In consequence of the stipulation of this declaration to which I have referred, such must be the case in this country. Now, I would ask you, in what capacity is it that you give the Nuncio the precedence of all other diplomatic servants? Is it in consequence of being a Minister of the Sovereign of the Roman States? No, it is because he is the Minister of the Head of

the Church. That is the reason he receives it in the rest of the world; and it could only be as Minister of the Pope, as provided for in the Treaty of Vienna, that he would be admitted here in that capacity. This, to be sure, would not add to his real power, which consists in the ecclesiastical rank which he must possess in order to be a Nuncio. Now, by the Treaty of Vienna a Nuncio is put on the same footing as a Legate. A Legate was formerly a different rank from a Nuncio; but since the Treaty of Vienna the Pope appoints a Nuncio to Catholic countries only. He must be an Archbishop, and as such has an influence over the whole Catholic Church in the country to which he is accredited. With the power which he would possess, and the dignity, rank, and precedence which we could not refuse him, it would be by no means desirable to receive him in this country. The noble Marquess says that the Crown is free to decline to receive him. I confess it appears to me that the adoption of the provision intended by this Amendment would be a way by which any discussion about fitness or unfitness would be excluded, and an answer would be given to the Sovereign of the Roman States which could not give offence; whereas, after passing this Bill, if, on the first occasion that arose, Government was ungracious enough to object to the person proposed to be sent as Minister, it would be a bad thing for those amicable relations which are wished for; but when the noble Marquess talks of leaving it to the judgment of the Queen, there is ample ground for laying down the clear proposition, which would leave no doubt on the subject. For these reasons I support the Amendment.

The DUKE of WELLINGTON said, that the question before their Lordships was on the words of the Bill to which the noble Earl proposed an addition, which would have the effect of excluding ecclesiastics; and he rather thought that those words of the Bill would not be necessary if the noble Marquess should determine to adopt the proposition submitted to his consideration, viz., to insert the words "diplomatic relations." The insertion of the words "diplomatic relations" put an end to the necessity of specifying the qualification or denomination of the party. The qualification would enable Her Majesty to decide whether She would or would not send an ambassador or receive an ambassador, or what description of person She would receive. That was entirely in Her Majesty's breast, and Her Majesty would stand then precisely on the ground on which Her Majesty's servants wished to place her, viz., on the ground on which the King of Prussia and other Sovereigns of Europe stood. He had felt strongly on this subject, and agreed entirely with his noble Friend who had lately spoken on the subject. He thought it very desirable that the question of the rank and description of the person to be received, or whether any person should be received or not, should stand entirely open at the discretion of Her Majesty's Government. This was entirely a political question—ecclesiastical and religious views were not involved in the measure, which was an arrangement for political objects only. Their Lordships were projecting an arrangement, having for its object political views, and he could not vote for an Amendment which might clog Her Majesty's discretion, or the discretion of her servants hereafter.

LORD BEAUMONT expressed his regret and surprise at the course adopted by the noble Earl opposite (the Earl of Aberdeen). He little thought that the noble Earl would have confounded the privileges and duties of a Legate and those of a Nuncio. He little thought the noble Lord would say that a Nuncio sent on a diplomatic embassy to any country, Catholic or Protestant, Turk or Greek, would merely, by the act of being a Nuncio, be invested with any power whatever, spiritual or otherwise, over any person in such country. What authority in the world had the Nuncio in France, or any foreign Roman Catholic country? He could not fulfil the common ministerial offices of the most ordinary priest in the country without certain permission. He asked again, even in Bavaria what power had the Nuncio? His relation with the Court to which he was accredited were purely diplomatic, and confined exclusively to international affairs. He could not interfere in internal matters, and had no authority, connexion, or influence with the clergy of Bavaria. In Austria herself, what power had the Nuncio? Did not the noble Earl know that even the letters of communication from the Court of Rome to the bishop, which respected the ecclesiastical jurisdiction, and proceeded from the bishop to the priest, and from the priest to the people—did he not know that every one of these papers were communicated to the Government of Austria, and were sanctioned by the Government of Austria, and authorised

by the civil authority, before they could be transmitted to the bishop, and the Nuncio had no voice or authority whatever in the matter. If the noble Earl said "Yes" to this, he asked him how he came to suppose that any Nuncio here would have authority which no Nuncio had there? But he would recall his memory to something also beyond that. In Portugal instances had been known where a Nuncio, venturing to overstep the border of the most absolute neutrality—going beyond mere diplomatic relations in the slightest and most trivial degree—was in one instance walked over the frontier, and in another instance recalled. He believed that if the noble Lord looked back to the history of the relations between Rome and Portugal, he would find instances similar to those he had stated. If this was the case of a Nuncio, even in Catholic Portugal—and if, in addition to this, it was known that none of the independent countries in Europe allowed meddling in their affairs, whether ecclesiastical, spiritual, or civil—when moreover it was known that in this country we could fully exercise the power of sending away any person who should overstep the bounds of diplomatic intercourse—how could the noble Earl reconcile his knowledge of these facts with the speech he had made to-night, which tended to send to the country a totally different representation of the case, and which, backed with his authority, might persuade the world that supposing any Nuncio were to arrive from Rome, he would possess a power which existed only in the idea or rather in the imagination of the noble Earl? It existed only in the imagination of the noble Earl. But that was not all. Other communications had recently taken place between Rome and countries not professing the Roman Catholic faith; but in no one instance had the representative of the Roman Court ever attempted to exceed his authority in any country with which Rome had been admitted to negotiate, and in very few cases only had the Court of Rome thought it right to send a diplomatic envoy at all. The only instance in which anything like ecclesiastical and spiritual authority had been admitted to act was in the dominions of the Ottoman Porte; and there it was not done for the purpose of giving the power to the Court of Rome, but it was done for the purpose of wresting that power from another European country. It was thought that Rome would exercise that power less injuriously to the interests of Turkey than the Court which at present laid claim to it. Well, then, if this ecclesiastical power, where it did exist, was actually a matter of dispute between the Court of Rome and another European Court, namely, that of France, and if even in a third country France refused to cede to Rome the management of religious houses and regular orders—if in countries in which the Roman Catholic religion existed, the exercise of such ecclesiastical power was no longer tolerated, how could it be supposed that where such ecclesiastical power had never yet existed, that it should in the first place be attempted to create it, and then again that the means and instruments should be found to put it in force? The thing was in itself an absurdity. And he believed, excepting in the case of some very great emergencies and trying difficulties, deeply affecting the interests of Italy or the Papal States, that the Court of Rome would not go to the expense of sending a Nuncio to this country. If the Pope sent any Minister at all, it would be a Minister Extraordinary and Envoy Plenipotentiary, with power to settle any differences that might arise with regard to his own States, and not for the purpose of interfering in this country. And though that might be the case, he must remind them how the matter stood at present. The Pope and all the Cardinals of Rome had at this moment opportunities of intriguing, if they were so inclined, to the danger of this country; they might at this moment send twenty persons of this country with the power of Nuncios to breed disturbance and endanger the peace and tranquillity of the country; and the very fact that with so many means at his disposal, he never in any way sought to intrude his influence, would show that nothing could be more unreasonable than the fear which had been expressed by some noble Lords, and which had suggested this Amendment. Their Lordships were all aware that the Roman Catholic hierarchy of Ireland were in the constant habit of carrying on intercourse touching spiritual matters with the Court of Rome. And what was the consequence of this underhand intercourse? Why, that the Pope and his Government possessed false notions of the true state of things. Very recently a celebrated preacher, Father Ventura, publicly declared at Rome that the persecutions in Mexico by the Spaniards in the earlier ages, and the cruel-

ties committed in Asia on the Christians, sank into insignificance and triviality when compared with the injustice which for centuries had been systematically shown by England to her conquered and Catholic province on the other side of the Channel. Then again, they had lately had the mortification of seeing a Papal rescript in circulation in Ireland condemning that measure from which the liberal-minded in England had anticipated so much good, namely, the institution of lay colleges in the sister country. There could be no doubt that the Pope had acted in that instance upon false and incorrect information as to the real aim and object of the measure; and there could be as little doubt that had we had an ambassador at Rome from whom a true knowledge of the facts could have been procured, that rescript would never have been issued. It was to be hoped that when satisfactory relations were established between the Queen and the Pope, rescripts of a similar tendency would cease to be issued, and that his Holiness would at once be convinced that henceforth no such intermeddling in our own proper government would be permitted. He had been very much struck by a remark which had fallen from a noble Lord in the course of this debate, who, in alluding to the spiritual influence exercised by a Papal Nuncio, maintained that much good would arise to that country from that kind of influence. He (Lord Beaumont) totally differed with that noble Lord—he (Lord Beaumont) protested as strongly as he could against this country attempting to govern Ireland through Rome; if there was one thing he should like to say more than another, it would be to tell them to govern Ireland themselves, and not to admit of any meddling. And, as far as he believed, it was the opinion of the most intelligent men in Italy, that the less the Roman See had to do with Ireland the better. He begged their Lordships' pardon for having trespassed on their patience somewhat further than he had originally intended, and he would only touch upon one point more. He had been much surprised with the curious combination of parties exhibited by those who were the opponents of this Bill. The opponents of the measure were, on the one hand, those whom he might call the ultra Protestant party, and on the other, the ultra Roman Catholic party. They were actuated by different reasons. The one believed that the measure would give greater weight and greater power to the other party, while the other believed that they would lose much of the influence and weight in the country they now possessed by communication between the Government of this country and Rome.

The EARL of SHREWSBURY: My Lords, though after the able manner in which this question has been debated by others, it may appear impertinent in me to address you, still I do wish to say a few words. In the first place, I am perfectly satisfied that neither the noble Lord who proposes this Amendment, nor those noble Lords who support him in it, have thereby the slightest intention of offering an insult to the Holy See. Yet, my Lords, is it not equally clear that if this clause be carried, it will deprive the measure of all its grace, if not render it altogether nugatory? I am sure, my Lords, that you would not desire to enter into diplomatic relations with any State, unless it were upon terms of perfect reciprocity; but to make this reciprocal, surely the Pope should insist upon some similar restriction upon his part. Might he not say, "I will not consent to receive any but a Catholic envoy. I deem it inconvenient, inexpedient, and even dangerous to admit a Protestant Minister, with the right of opening a chapel in the very heart of the Holy City, for the purposes of an heretical and hostile worship." My Lords, I do not use these terms offensively; I am merely using them in argument. But, should you not be very justly offended if the Pope were to make any such stipulation? Again, as I have already intimated, would not the introduction of this clause render the measure altogether inoperative? My Lords, in the present difficult and complicated relations of the Italian States, is it not essential that Rome, by far the most important of them all, should be efficiently represented? Yet is it not equally notorious, that, for the present at least, none but ecclesiastics have received anything of a diplomatic education, or have benefited by diplomatic experience? Pass this clause then, and you place an effectual bar to the accomplishment of any one of the objects you desire. It has been said that we may transact all our business at Rome; but, my Lords, why are we to have a right to know Rome better than Rome has a right to know us? or, if I may use the expression, why is the acquaintance to be all on our side? My Lords, it is this very mistrust—this mutual mistrust—this mutual misunderstanding and ignorance of each other, that prevents things going

on as they should do. My Lords, Prussia has been cited as an example worthy of our imitation. But, if Rome has made an inconvenient arrangement with Prussia—and a very inconvenient arrangement it has proved to be—is that a reason why we should compel her to do the same with us? Besides, my Lords, Prussia is not a parallel case. With Prussia there is a regular Concordat; and yet, as the noble Marquess (Marquess of Lansdowne) has said, the King has still the right to receive a Nuncio if he will; but having hitherto refused to do so, Rome has also refused to send a Minister. It is the same in Russia; if the Emperor has refused to receive a Nuncio, Rome has positively refused to send a Minister. My Lords, I had much rather refer to the Netherlands for an illustration, a country fully as Protestant as our own. My Lords, if I am not in error—and the noble Earl (the Earl of Aberdeen) opposite can correct me if I am—there is now a resident Nuncio at the Hague. My Lords, I do implore you then to reject this Amendment as wholly incompatible with the establishment of any diplomatic relations whatever with the Court of Rome.

Lord STANLEY was quite sure that the noble Lord who had just sat down had only done justice to the supporters of the Amendment, in stating that he believed it was not their wish to use any language in the slightest degree likely to be displeasing to the noble Marquess (the Marquess of Lansdowne), or those who supported the Bill. But, speaking with that frankness and openness which their Lordships had a right to use, he must say for himself, and he believed he might say also for those who agreed with him in supporting the proposed Amendment, that they believed it to be one of the greatest importance. He considered the Amendment of such importance, that he should be mainly influenced by their Lordships' adoption or rejection of it in the ultimate views which he might take of the Bill. The noble Earl opposite (the Earl of Shrewsbury) had said that if this Amendment were carried, the Bill would be deprived of all its grace, and rendered perfectly nugatory; and he referred also to the arrangement between Rome and Prussia as one which it had been found utterly impossible in practice to enforce. But though Prussia had done that which it was now proposed to do—excluded ecclesiastics as ambassadors—there was no evidence that any anger had been engendered at Rome thereby. It was in 1815 that Prussia consented to send an envoy to the Court of Rome, the sending of that envoy being accompanied by a distinct and emphatic declaration—not then introduced for the first time, but going on the principle acted upon since the time of Frederick the Great, that no ecclesiastic should be received at the Court of Prussia in a diplomatic character. In 1835, twenty years after, the consequences of that refusal on the part of Prussia were not such as had been imagined by the noble Earl (the Earl of Shrewsbury). The Court of Rome then received an envoy from Berlin; and, still more, received him without any remonstrance respecting the condition which was put in force against the Holy See. In 1835, a fresh application was made to the Court of Prussia to know whether an envoy from the Court of Rome would be received at Berlin. The answer given was, that they were disposed to deal with the question upon the footing of entire reciprocity. The noble Earl opposite had adverted to that question. What was the answer of the Prussian Ministry to the questions of the Court of Rome? "Send us an envoy and a layman, and we will receive him on the same terms as every other ambassador, and we will send you an envoy and a layman. All the privileges and all the rights which you give to us, we are ready to extend to you; but we cannot receive any envoy from you clothed with other than the usual diplomatic and temporal powers—we cannot receive any ambassador clothed with the Legate's authority or the Nuncio's authority; and upon no other terms will we ever receive an ambassador from Rome." That answer had not been considered as offensive by the Court of Rome, and the Prussian Minister was received on the same conditions as before. But then, the noble Earl said, if this country refused to receive an ecclesiastic, clothed with a spiritual authority, and undoubtedly exercising a spiritual influence over a great portion of the subjects of Her Majesty—if they refused to receive any ecclesiastic clothed with such authority—it would not be extraordinary if the Pope were to refuse to receive any bishop or minister of the Church of England possessing spiritual authority over all the subjects of this country, that might for the time being be residing at Rome. But the noble Earl (the Earl of Shrewsbury) said, that he considered we must have reciprocity, and that the Pope would be justified in

pursuing such a course, if this country refused, to receive none but a Roman Catholic. He (Lord Stanley) said, that that was no reciprocity at all. The reciprocity adverted to by the noble Earl was as absurd a proposition as any which could have been suggested; it would only be reciprocity if we were to demand that the envoy from Rome should be a Protestant. The noble Marquess (the Marquess of Lansdowne) advised them not to fetter the Crown, but to leave the selection of the class of envoys, not to the Crown, but to the Minister of the Crown for the time being. It was maintained that Prussia could, should she see fit, withdraw the restrictions which she had created as to ecclesiastics, and that therefore we ought to leave to ourselves the same liberty. The circumstances of Prussia and of this country were, however, very different; the Government of this country was a constitutional Government, holding the Crown by an Act of Settlement, and being bound to uphold the Protestant religion under a solemn compact with Protestant subjects; and in this constitutional country the principle of placing confidence in the advisers of the Crown was not that principle on which it would ever be safe for the Parliament to act. Distrusting the Ministers of the Crown, and binding them down by Parliamentary restrictions, was the constitutional theory here; and therefore the parallel between England and Prussia was inapt and misleading. The noble Marquess now confessed that we ought to be jealous of any indirect encouragement of the spiritual influence of Rome. That was the principle of the Government to-day; but who would answer for the policy of the Administration to-morrow? Supposing the noble Earl, who was a Roman Catholic, were to succeed to the confidence of the Crown, he would, as a faithful subject of Rome, endeavour to extend the spiritual and temporal power of Rome; and who would say that a Roman Catholic Prime Minister would maintain the policy of the noble Marquess, and attempt to prohibit the reception of Roman Catholic envoys? Was it then, he would ask, expedient to leave such a matter to the Crown or to the Minister, when from day to day their discretion might be exercised in a precisely opposite direction? The noble Lord had declared to-night that in his judgment the very fact of the ambassador's being an ecclesiastic of so elevated a position in the Roman Catholic Church, exercising a very great authority over the Roman Catholics of this country, would be the greatest recommendation for his reception. Seeing that to be the case, he (Lord Stanley) thought that the course they ought to pursue was not to leave the Minister of the Crown the power of entering into whatever relations with foreign countries he might please; and as the Court of Rome had been hitherto practically excluded from diplomatic relations with this country, he thought that Parliament, as it was now deemed desirable to enter into relations with that See, should fix the conditions on which they were willing to admit that intercourse. He (Lord Stanley) concurred entirely with the noble Earl (the Earl of Aberdeen), who spoke with so much force upon this subject, that they should relieve the Ministers of the Crown entirely from the responsibility of refusing to receive certain persons. There was danger of giving offence if an ecclesiastic once being received according to the discretion of one Minister, he was subsequently rejected on the discretion of a second Minister; but there could be no such danger if, the condition being irrevocably enacted, the noble Marquess or any one of his successors were enabled to say to the Court of Rome, "I have not raised the objection; the law in this country is more powerful than an individual; and, if we treat at all, it must be in the only way which our law has left me." In this way they would avoid all future offence; and, as he had shown, by acting in this way Prussia had been enabled with safety to herself to hold that diplomatic correspondence with the Pope which circumstances made advisable. What was the course adopted by other countries towards the ambassadors of the See of Rome? The noble Lord opposite had adverted to the course pursued in Spain, Portugal, and other countries; and he said that in the case of ambassadors to those Roman Catholic countries which were subject to the spiritual authority of the Pope, they were kept in continual supervision by the Governments of those countries; and if the Ministers of those Roman Catholic countries found it necessary to control the power and authority of the Papal Nuncio, how much more important was it in this country, where no such authority, no such control could be exercised by the Ministers of the Church of Rome, that the Parliament should step in and supply by Protestant legislation that control. Upon these grounds, and believing that whether

invested with spiritual authority or not, the Cardinals are, collectively and individually, very anxious, nay, bound to support the authority and to extend the influence of the Roman Catholic Church, believing that they would have the means—if accredited to a Protestant country, but possessing a large Roman Catholic population, and that they might be disposed—to increase a most dangerous spiritual influence for the purpose of promoting political and temporal objects. He would not speculate upon the probable qualities of the Minister who might be sent to this country; but this he would say, that the higher the position of such an individual, the more anxious would he undoubtedly be to extend the authority and the influence of the See of Rome in this country; and the most dangerous consequences would of necessity ensue to the Protestant community, and the peace and welfare of this Protestant country. He trusted, therefore, that the noble Marquess opposite would not hesitate to admit the Amendment proposed by his noble Friend. The noble Earl (the Earl of Shrewsbury) feared that it would have the unfortunate effect of rendering the whole measure useless; but it would strike him on reflection that such an observation was an offence to the Roman nobles. There were many men among those nobles perfectly competent to represent, if not the spiritual, at least the temporal interests of the See of Rome; and it was with a view to the temporal interests of the See of Rome, and not to strengthening her spiritual interests, that Parliament was now ready to consent to receive thence an ambassador. For his own part, he entirely concurred with the noble Earl (the Earl of Aberdeen) that it was of very little importance for the purposes of this country whether we received an ambassador from Rome or not; and that it was of much more importance that we should have an envoy at Rome capable of protecting British interests and representing British subjects. But he would never consent, but would do his utmost to overthrow any proposal the ultimate effect of which might be to transport the Vatican from Rome to London, and to establish here, under the sanction of Parliament, a spiritual authority under the guise of a temporal Minister, and to admit a new cause of confusion and difficulty in the affairs of the administration of this country.

The MARQUESS of CLANRICARDE said, that the purport of the Bill had been well described by the noble and gallant Duke (the Duke of Wellington), who had said that it was simply for the purpose of enabling Her Majesty's Ministers to enter into diplomatic relations with the Court of Rome, and ought to be viewed in a merely political light. The noble Lord opposite (Lord Stanley) had just given utterance to what he must say appeared to him a most unconstitutional doctrine. Was the noble Lord not aware that the constitution of the country made the intercourse with foreign countries one of the prerogatives of the Crown, and the constitutional doctrine was to leave the Crown unfettered? This Bill was merely to enable the Crown to enter into diplomatic relations with the Court of Rome; and if the noble Lord (the Earl of Eglintoun) succeeded in carrying his Amendment, he would fetter the Crown in that respect. It had always been in the power of the Secretary of State for Foreign Affairs to object to such persons as he deemed advisable being received in this country as diplomatic agents; but if this clause were agreed to they would deprive that Minister of the power of making objections. What danger would be avoided by the Amendment of the noble Earl? He thought, for his part, that the danger which would arise from the reception here of an ecclesiastic in the character of an envoy had been greatly exaggerated; and at any rate an ecclesiastic would not be able to do more mischief, than it would be in the power of a temporal ambassador to effect, if accompanied on his mission by a body of members of his own Church. Would the Amendment of the noble Earl prevent any such proceeding? He considered that it would be an insult and a stigma upon the ecclesiastical profession if such an exclusion was made. He saw no prospect of danger even arising from its omission. The constitutional prerogative of the country was, that the Crown should remain unfettered, and that the Minister of the Crown should be responsible for any impropriety which might occur. It certainly was against all principle that the diplomatic relations of this country should be regulated by statute.

The DUKE of RICHMOND begged to tell the noble Marquess that the Crown of England was very much fettered in every thing relating to the Roman Catholic religion; and, if their Lordships were not to fetter the Crown in the matters now under consideration, the omission would be used

as an argument hereafter to relieve the Crown from those other fetters which were most properly imposed in respect to the Roman Catholic faith. He believed that the Protestant feeling of England and Scotland required no such lashing up as the noble Earl opposite spoke of last night. If the Amendment were not adopted, a Cardinal might be sent as an envoy to this country; and he believed that the great majority of the Protestants of this country would, in consequence of the refusal to adopt an Amendment to prevent the reception of a Cardinal here, think that the Government intended to have one, and that thereby an opportunity would be afforded of allowing the Roman Catholic religion a chance, which it had not now, and which he hoped it never would have, of beating down the Protestant faith in this country.

The EARL of HARROWBY supported the Amendment, as being most conducive to the safety of the Protestant Church.

LORD CAMPBELL said, that he would begin by reminding the House that the question was not whether it would be expedient to have an ecclesiastic as an ambassador from the Court of Rome—such a thing might, indeed, be very inexpedient, and he himself could see many difficulties, if such a measure were carried into effect—but the main question was, whether they would curtail the prerogative of the Crown, and prevent it from exercising a privilege which always belonged to it, and whether they would encroach on the law of nations? He would show that this power, which was desired to be taken away, had been the uniform prerogative of all countries, and the established usage of all nations. At that moment there was nothing to prevent the establishment of diplomatic arrangements between the Courts of Rome and London. The Queen might receive a Nuncio from the Pope, and no infringement of the law would take place. The Minister who advised Her to receive him might be liable to a vote of want of confidence, or an impeachment, if Parliament thought fit; but there could not be a doubt that if they agreed to this Amendment they would be infringing on the prerogative of the Crown. And he would here protest against the principle laid down by the noble Lord (Lord Stanley), namely, that because a prerogative migh tbe abused, therefore it should be abolished: such was not constitutional doctrine. It was laid down in the law of nations, that every nation was empowered to select an ambassador from any class which was deemed most expedient, always leaving it in the power of the State to which he was sent to determine whether it would receive him or not. He should trouble them with a quotation from Vattel. [The noble Lord then read a passage which laid down the doctrine which he had enunciated —namely, that every Sovereign State had a right to elect a member from any class to act as an ambassador for that State.] He would have them remark that the author did not specify any particular class from whom the ambassador was taken. He would conclude by again stating, that if they agreed to this Amendment they would be encroaching on the just prerogative of the Crown, and that they would be violating the law of nations.

The DUKE of WELLINGTON, who was most inaudible in the gallery, was understood to say, that if the words "diplomatic relations" were inserted in the clause, he would withdraw the Amendment of which he had given notice. The matter might be thus left generally, and nothing stated as to the persons who should be received, leaving the responsibility of reception upon the advisers of the Crown. At present Her Majesty certainly had not power to receive an ambassador from the Court of Rome; or if she had, whence was the necessity of the present Bill?

The EARL of SHREWSBURY: I merely wish to correct an error into which the noble Duke opposite (the Duke of Richmond), and even the noble Earl (the Earl of Harrowby) on the cross benches have fallen, namely that in the event of diplomatic relations with Rome we were likely to have a Cardinal in this country. Now, my Lords, Cardinals are only sent as legates, never as Nuncios. I would also observe that in whatever I have said this evening, I have not spoken with any authority. I have not received any communication whatever on the subject, nor do I know the feelings of the Roman Court on this point: I have merely argued it from analogy.

The DUKE of NEWCASTLE objected to the reception of any Minister or ambassador from the Court of Rome as impolitic and dangerous.

EARL FITZWILLIAM said, that the House was not then in a condition to accept the Amendment of the noble Duke, but he was satisfied that his proposition would be much the better form to give the Bill. He was of opinion that the noble

Duke should frame a Bill in the form which he had suggested. He should have a great objection to the reception of an ecclesiastic from the Court of Rome as ambassador to this country, and he did think that it would have been advisable to have limited the prerogative of the Crown. But upon a very full consideration of what would be the result of adding this Amendment to the noble Earl's (the Earl of Eglintoun), he could not give his voice in its favour, for he thought it would have a most ungracious appearance.

The MARQUESS of LANSDOWNE said, he was prepared to adopt the clause as suggested by the noble Duke; but what effect that alteration would have upon the whole Bill he could not say, and should require time to be advised upon the precise legal bearing of the words. Much had been stated about Prussia; and he believed that the noble Lord (Lord Stanley) had correctly stated what were the relations between Prussia and Rome; but the noble Lord had not stated what he (the Marquess of Lansdowne) considered bore a remarkable relation to the matter in question. In Prussia there existed a code of laws regulating everything appertaining to the Catholic faith; it was established in the year 1791, and in that code there is no sort of exclusion which prevented the Court of Prussia from receiving an ecclesiastic as an ambassador, although practically such an exclusion did operate, as up to the present time no such envoy or legate had been permitted.

The EARL of ELLENBOROUGH said, that as the noble Marquess had signified his intention of substituting, instead of the words in the Bill, other words to enable Her Majesty to enter into "diplomatic relations" generally, he wished to know how that alteration would have the same effect as the proposed Amendment, to prevent the Crown from receiving an ecclesiastic from the Court of Rome for the purpose of diplomatic communication? Their Lordships were willing to a certain extent to relieve the prerogative of the Crown, which for a long period of time had been unable to appoint diplomatic agents in respect to the Roman States; but they were not so familiarised with those new Whig doctrines of prerogative as to go so far as to forget the whole spirit of the Protestant legislation of this country, and to enable any future Ministry to injure, perhaps, the Protestant Church, or, at all events, to give great offence to all Protestants in this country, by receiving an ecclesiastical dignitary as the representative of Rome in this country.

The MARQUESS of LANSDOWNE said, that he had already stated he should require time to know the precise legal bearing of the words. He did not say that its adoption would answer the purpose of the Amendment which had been moved. He fancied that he could see from the manner of noble Lords opposite, that they were of opinion that he had agreed to the proposition in order to influence the vote of the noble Duke; but such was not the fact. It might be in the recollection of the House, that at the very commencement of the discussion he had declared his willingness to adopt any alteration or any suggestion which he believed did not interfere with the principle of the Bill, and gave a greater security to the interests of Protestantism.

Their Lordships divided:—Content 67; Not-content 64: Majority for the Amendment 3.

Clause as amended agreed to.

The DUKE of WELLINGTON then moved the following as a declaratory Amendment:—

"Whereas it has been enacted and declared in the provisions of various ancient laws of this realm, that the Sovereign thereof, acting by and with the advice and under the authority of both Houses of Parliament, is the sole and supreme head and governor of all matters ecclesiastical and civil within this realm, or elsewhere, the dominions of the Crown of England; and the same Acts contain provisions, having for their objects to control, regulate, and restrain the acts, conduct, and the relations of the subjects of this realm with foreign Powers upon the said matters: and whereas it is essential to the welfare of these realms that the said provisions as to the Crown and Government thereof, should be invariably maintained, and it is expedient, nevertheless, to remove any doubts which may exist as to the competence of Her Majesty, Her heirs and successors, to establish diplomatic relations with the Sovereign of the Roman State—"

The MARQUESS of LANSDOWNE saw no objection to the addition of this clause, and would offer no opposition to its insertion in the Bill.

Amendment agreed to, and ordered to stand part of the Bill.

LORD REDESDALE moved the addition of the following Clause:—

"Provided always, and be enacted, that it shall not be lawful for Her Majesty to receive any such Ambassador, Envoy Extraordinary, Minister Plenipotentiary, or other diplomatic agent, until the Court of Rome shall have declared that it doth not claim, but distinctly disavows, any temporal or civil jurisdiction, power, superiority, or

pre-eminence, directly or indirectly, within this realm."

He said that he believed there was a large body of Roman Catholics in this country who were taught to look to the power of Rome in this country rather than to the legitimate power and authority of the Government of this country. The object of his Amendment was to apply a remedy to this state of things. In his opinion, it was highly desirable that before a measure like that now under consideration was carried into effect, they should have given to them, on the part of the sovereign authority at Rome, a distinct pledge and assurance that the Papal authority in Rome sought to exercise no temporal power or authority whatsoever in this country. He begged to disclaim any hostile feeling towards his Roman Catholic fellow-subjects in proposing this Amendment. On the contrary, he thought that the Amendment which he now proposed would increase the efficiency of the Bill.

The MARQUESS of LANSDOWNE could not consent to the insertion of this clause. The effect of the addition of these words would be to defeat the object of the Bill altogether. He thought that the assertion of any such claim would be absurd, and that its renunciation was altogether unnecessary. Why, if such a claim to temporal power in these realms was set up by the Pope, of what use would it be, or what effect would it have? It was well known that for a long period the Kings of England set up a claim to be styled Kings of France, as well as of England. Even more than that, the Kings of England styled themselves Kings of France and England when negotiating treaties with French Monarchs, who were Kings of France *de facto*. He was sure that it would amuse the House to be reminded that when James II. was living at St. Germains, he styled himself King of France. The Kings of England had not been called upon to give up that claim. It was an absurd one. It rested on no sound foundation, and the assumption of it did no harm. The claim of the Pope to exercise temporal power in this country was just as unfounded, and any apprehensions from its exercise were quite absurd. As to the formal renunciation of it, that was a demand with which, according to the custom of the Roman State, the Pope could not comply. Seeing that no advantage could arise from this Amendment, but that, on the contrary, it was calculated to defeat the object of the Bill, he felt bound to oppose it.

The EARL of SHREWSBURY: My Lords, though I am quite willing to admit that the noble Lord does not bring forward this Amendment in an invidious spirit, yet I am sure it is altogether unnecessary. The noble Lord himself says that we have solemnly abjured these doctrines and opinions; why, my Lords, there is not a Catholic in the three kingdoms who is not equally willing to abjure them in the most solemn and emphatic manner. And should they ever be reasserted by Rome—mind you, my Lords, the Church never has asserted them—I am sure we should find the same means and the same spirit to resist them, as had our ancestors in the time of Elizabeth. Having then, as I conceive, a much stronger guarantee against the influence of such doctrines and opinions than any repudiation of them on the part of Rome—a repudiation which might be made by one Pope, and withdrawn by another, I do think the noble Lord would act much more wisely by allowing things to remain as they are, and by resting his security on the good sense and the good feeling of mankind.

The BISHOP of SALISBURY said, that as the House had agreed to the principle of the Bill, he did not think that they would allow its objects to be indirectly defeated; and as it had been stated that this Amendment would have that effect, he would not support it.

LORD STANLEY could not agree with the objections that had been offered against the present Amendment. He did not think that there was anything inconsistent or unreasonable in asking the Sovereign Power of Rome to give an assurance of this kind, inasmuch as the Pope was now about to enter into diplomatic relations with this country. Under those circumstances he did not think it unreasonable that the Pope should be asked to formally abandon any claim to the exercise of temporal power in those kingdoms. However, after the declaration of the noble Earl (the Earl of Shrewsbury), whose high honour no one would doubt, he would be inclined to leave the matter to the good sense of the people themselves. He (Lord Stanley) could not agree that the objection of his noble Friend (Lord Redesdale) was a mere shadowy objection; and if his noble Friend thought fit to press his Amendment to a division, he (Lord Stanley) would vote with him. However, as it seemed to be thought that this

Amendment, if carried, would create a practical difficulty in the way of the working of the Bill, he would advise his noble Friend to withdraw it.

Amendment withdrawn.

The DUKE of RICHMOND moved the insertion of a clause, providing that no Ambassador, Envoy, or Minister from Rome should be allowed to perform any acts in this country which it would not be lawful for a British subject to perform.

LORD CAMPBELL assured the noble Duke that the Amendment was quite unnecessary, because the assumption of any such right to perform acts not lawful for British subjects to perform, was already amply and sufficiently provided against.

Amendment withdrawn.

All the clauses having been disposed of, the preamble was then agreed to, and the House resumed.

House adjourned.

HOUSE OF COMMONS,

Friday, February 18, 1848.

MINUTES.] NEW WRIT.—For Devizes, *v.* William Heald Ludlow Bruges, Esq., Chiltern Hundreds.

NEW MEMBER SWORN.—For Salop (Northern Division), John Whitehall Dodd, Esq.

PUBLIC BILLS.—3° and passed: New Zealand Government.

PETITIONS PRESENTED. By Mr. Bramstone, and other hon. Members, from several places, against the Jewish Disabilities Bill.—By Mr. Grantley Berkeley, and other hon. Members, from several places, in favour of the Jewish Disabilities Bill.—By Mr. Henley, from Oxford, and by Colonel Mure, from Paisley, for the Better Observance of the Lord's Day.—By Sir William Verner, from Orange Lodges, against the Diplomatic Relations with the Court of Rome.—By Mr. Henley, from Oxford, complaining of the Conduct of the Catholic Clergy (Ireland).—By the Earl of Arundel and Surrey, from York, and by Mr. Grantley Berkeley, from Nailsworth, in favour of the Roman Catholic Relief Bill.—By Mr. Wakley, from Middlesex, for Inquiry into the Case of the Rajah of Sattara.—By Mr. Hume, from Glasgow, for Consideration of the West India Colonies.—By Mr. Headlam, from a great number of places, for the Repeal of Duty on Attorneys' Certificates.—By Mr. M'Gregor, from the West of Scotland Auxiliary Association, for Inquiry respecting the Excise Laws.—By Mr. Wakley, from St. Luke's, for the Equalisation of the Land Tax.—By Lord J. Stuart, from Cardiff, for the Rating of Owners instead of Occupiers of Tenements.—By Mr. Fordyce, from Aberdeen, for the Revision of the Stamp Duties.—By Sir Thomas Birch, and other hon. Members, from several places, for the Reduction of Duty on Tea.—By Viscount Duncan, and other hon. Members, from various places, for the Repeal of the Duty on Windows.—By Mr. Foley, and other hon. Members, from numerous Orders of Odd Fellows, for the Extension of the Benefit Societies Act.—By Sir Harry Verney, from Mrs. Jemina Vans Robertson, for Inquiry respecting the Deccan Prize Money.—By Mr. George Hamilton, from Kildare, and other places, and by Sir William Verney, from Armagh, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Baines, and other hon. Members, from several places, for Sanitary Regulations.—By Mr. Sharman Crawford, from Kildare, for the Alteration of the Law of Landlord and Tenant (Ireland).—From William Clarke, 29, Coleman Street, London, for the Production of Papers respecting the Leeds and Carlisle Railway Bills (1846). From Physicians and Surgeons of the Cork Dispensary, for Redress to Members of the Medical Profession (Ireland).—By Mr. Thomas Baring, and other hon. Members, from various places, for Retrenchment in the Naval and Military Expenditure.—By Mr. Hudson, from Sunderland, and other places, against the Repeal of the Navigation Laws.—By Mr. Hume, from New South Wales, for the Repeal of the Navigation Laws.—By Mr. Wakley, from a Meeting held at the Queen's Concert Rooms, Theobald's Road, for Alteration of the Poor Law.—By Mr. Thomas Baring, from Clerks, Masters, and Matrons of various Workhouses, for a Superannuation Fund for Poor Law Officers.—By Mr. George Thompson, and other hon. Members, from various places, for the Abolition of Punishment of Death.—By Mr. Alexander Lockhart, from the Parish Schoolmasters of Selkirk, for Ameliorating their Condition.

GOVERNMENT CONTROL OF STEAMERS.

MR. MUNTZ, seeing the President of the Board of Trade, begged to know what power the Government possessed of interference with steamboats on rivers and at sea; and if that was not thought sufficient, whether it was intended to apply to Parliament for additional powers?

MR. LABOUCHERE replied, that the Board of Trade possessed, with regard to steamboats carrying passengers, the power to order an inspection twice a year; and and returns, founded on that inspection, were regularly made to the Board. But some doubts were entertained whether the powers given by the Act of Parliament to the Board of Trade applied to all steamers; and it would probably be necessary to apply to Parliament for further powers during the present Session.

THE BUDGET—FINANCIAL STATEMENT.

House in Committee of Ways and Means.

LORD J. RUSSELL: Sir, I feel my strength so unequal to discharge adequately the important task which I have undertaken, that I believe I shall best perform my duty by laying before the House an outline of the financial policy of the Government, leaving to future discussion the greater part of the arguments which may be required to enforce that policy and to recommend the propositions which I shall submit for the adoption of the Committee. I shall therefore, Sir, proceed at once by reminding the House that the year which has passed over our heads, or I should perhaps say, the period of the last eighteen months, has been one which, excepting cases of foreign war or domestic insurrection, is without a parallel, I think, in the history of this country. The changes and vicissitudes of prices—the difficulties of commerce—the panic which more than

once prevailed—the extreme distress of a part of the United Kingdom—the extraordinary efforts which were made to relieve that distress—altogether affected the state of this country to a degree that I believe it would not be easy to find an example of such distress in our history. To give the Committee some notion of the very great vicissitudes we have gone through, I will refer to the changes in the price of wheat, the changes in the rate of commercial discounts by the Bank of England, and to the changes in the amount of bullion held by that establishment. In the first week of September, 1846, the average price of wheat was 49*s.*; the price in January, 1847, was 70*s.*; and in the week ending May 29, 1847, the price of wheat was 102*s.* 3*d.* On the 18th of September following it had again fallen to 49*s.* 6*d.*, being only sixpence difference from the price of the preceding September, and more than 100 per cent difference from the price at which it stood in the previous May. The rate of discount by the Bank of England—I mean the minimum rate of discount charged by the Bank of England—in November, 1846, was 3 per cent. In April, 1847, it had been raised to 5 per cent; in October, the lowest rate of interest charged by the Bank of England was 8 per cent; and in January, 1848, it was again 4 per cent. The amount of bullion on the 10th of October, 1846, held by the Bank of England, was 15,078,135*l.*; on the 23rd of October, 1847, it was 7,865,445*l.*; and again on the 5th of February, 1848, it was 13,821,754*l.* Now, Sir, I have referred to these changes not with a view at present of speaking either of the causes which produced them, or the remedies which from time to time have been proposed in Parliament for some of the aggravated symptoms of these calamities, but merely for the purpose of showing to the House how great have been the changes in our condition, and how much such vicissitudes must have affected the revenue of the country. Sir, it is obvious in the first place that there could not be so great changes in the price of corn without very much affecting the consumption of manufactured goods, and likewise of exciseable commodities, both by the agricultural and the commercial classes. This is shown by another return, exhibiting the number of hands employed in Manchester on full time and on short time, and unemployed, at the different periods to which I have alluded. On the 16th of February, 1847, those employed in Manchester, full time, were 21,698; on the 2nd November, they were reduced to 14,861; and on February 8, 1848, they were again 32,146. Those employed on short time on the 16th of February, 1847, were 13,404; on the 2nd of November they were 14,578; and on February 8, this year, they were only 4,901. The unemployed on February 16th, 1847, were 5,600; on November 2 they had risen to the enormous number of 11,616; and on the 8th of February, this year, they had fallen to 7,543. I think, Sir, the House must agree that it was impossible such changes could take place, such distress be felt, and the revenue of the Excise not be very much affected by those changes and that state of distress. But, Sir, the commercial vicissitudes to which I have alluded must also to a very considerable degree have affected the Customs. When in April, and again in October, there was so great a degree of discredit—when that discredit amounted to panic, and no one was sure what bills would be paid—when persons most solvent in their circumstances, and the largest houses, if not in danger of falling, were at least obliged to submit to the greatest sacrifices—it was impossible that there should not be a great embarrassment of trade, and that merchants should not give, as they did give, orders that the goods which they had ordered to be imported should not be sent to this country, but that bullion, or some other mode of payment, should be adopted instead. And therefore, whilst the trade of the country was very considerably paralysed, the revenue must have suffered severely from that state of things. Sir, I will allude here to the statement of Mr. Huskisson, in July, 1817, after the country had had the misfortune of a deficient harvest. He said—

"This was the situation of the country, particularly since the failure of the last harvest. His only surprise indeed was, that the revenue had not fallen-off more. A falling-off of 10 per cent on a revenue of 50 millions was not so wonderful when a scarcity of provisions happened take place, and when there was a want of full employment for our population. He repeated, that he was surprised the deficiency had not been much greater."

This was a deficiency of 10 per cent on a revenue of 50,000,000*l.*, which Mr. Huskisson declared in a time of scarcity was not a deficiency at which we should be surprised, or at which he thought at that time any would wonder. Having stated these general circumstances, to the details of which I will not further allude, because

there have been frequent discussions in this House on the matter, while the alarm and distress which prevailed must be fresh in the recollection of every hon. Member, I will now go on to state what I think it is due to the present Government that I should state, especially as some gross exaggerations have been spread among the public on the subject. The right hon. Gentleman who held the office of Chancellor of the Exchequer in the late Government, before he went out of office, made a financial statement which was marked by the talent and clearness which distinguish all his financial statements, but which of course applied only to the year to which he was then referring. That right hon. Gentleman did not, of course, state, in submitting to the House the estimates for the year for which he was providing, that there would be an increase in some of the items of expenditure in the ensuing year —an increase which happened to be very considerable. For instance, the right hon. Gentleman only took into his account the military estimates for three quarters of a year, in consequence of a change having been made in the mode of keeping the accounts of that department; and the burden of several sums which had been voted by Parliament in the nature of compensation for the repeal of the corn laws fell upon the Exchequer in the ensuing year. In the year 1847-1848 there was an increase in the estimates, as compared with 1846-1847, of 932,700*l.*; but the amount of services unprovided for in 1846-1847, which fell into the last year, was 628,500*l.*; so that the actual increase made in the estimates by the present Government amounted, not to 932,700*l.*, but to 304,200*l.* In the year before last the present Government made an alteration in the sugar duties, from which a very considerable increase in the amount of revenue derived from sugar has resulted. In 1845 the revenue from sugar was 3,574,000*l.*; in 1846 it was 3,873,000*l.*; and in 1847 it was 4,414,000*l.*; showing an increase of revenue from sugar in 1847, as compared to 1845, of 840,000*l.*, and as compared to 1846 of 541,000*l.* So far, therefore, are the present Government responsible, either with regard to an increase in the estimates on the one hand, or with respect to a decrease of the revenue on the other. Whatever objections may be urged, either on moral or political grounds, against the change which was made in the sugar duties—objections into which I will not now enter—it is obvious that, as a revenue measure, it has very considerably increased the public income, without imposing any additional taxation upon the people of this country. But I will now proceed to refer to a paper which is in the hands of the House—the balance-sheet for this year, which was presented on the 3rd of February. From that balance-sheet it appears that there is an excess of expenditure over income of 2,956,683*l.*; but with regard to that excess, I have to state that, among the sums which are entered in this account on the side of expenditure, is a considerable portion of the amount which was granted to relieve the distress that existed in Ireland—a sum amounting to 1,525,000*l.* I find also that there has been reckoned among the receipts of the year 450,000*l.* for the remaining China money, which, instead of being received in this country, was stopped at the Cape of Good Hope, and transferred to the military chest of the colony for the purposes of the Caffre war. Taking off, therefore, these two sums—the amount for the relief of Irish distress, which is not reckoned part of the ordinary expenditure of the year, and the China money, which though estimated was not received—the real excess of expenditure will be 981,683*l.* Sir, I will now state the estimate with regard to the different sources of revenue made by my right hon. Friend in his budget last year, and the amount which it is estimated may be derived from those sources during the present year. Of course I am not able to give an exact statement of those amounts; I can only state, as nearly as can now be estimated, the sums which will probably be received under the various heads up to the 5th of April, 1848. The Customs, which were estimated at 20,000,000*l.*, are now expected to produce the sum of 19,774,760*l.* The receipts under the head of Excise were estimated by my right hon. Friend at 13,700,000*l.*; they are now estimated at 13,340,000*l.* The revenue from stamp duties was estimated at 7,500,000*l.*; it is now estimated at 7,150,000*l.* The taxes were estimated at 4,270,000*l.*; it is now estimated that they will produce 4,340,000*l.* The property-tax was estimated at 5,300,000*l.*; it is now caculated that it will produce 5,450,000*l.* The anticipated revenue from the Post Office was taken at 845,000*l.*; it is now estimated that it will be 923,000*l.* The Crown lands were taken at 120,000*l.*; they will only produce

60,000*l.* The miscellaneous revenue was estimated at 330,000*l.*, and it is now calculated that under this head we shall receive 325,000*l.* The whole amount of the revenue which the Chancellor of the Exchequer estimated would be derived from all these sources was 52,065,000*l.*; it is now estimated that they will produce only 51,362,060*l.* There certainly has been a considerable falling-off in the revenue; but, at the same time, adverting to the circumstances to which I have alluded—to the dreadful scarcity in Ireland, and to the commercial distress under which this country suffered—taking into consideration the very sudden and extreme changes which took place in the course of the year, I must confess that that falling-off in the revenue appears to me to be less than might have been expected under the circumstances in which the country was placed. I will now read some of the items upon which there has been a falling-off, and some of those upon which there has been an increase. Of course, this statement can only be made up to the 5th of January last. The statement I have just read is the general estimate of the revenue up to April, formed on the amouut actually received during that portion of the financial year which has already elapsed. I am now going to read the increase or diminution of revenue upon various articles up to the 5th of January, 1848. The increase of revenue from molasses has been 31,459*l.*; from sugar, 540,091*l.*; from rum, 71,714*l.*; making on these articles alone an increase of 643,264*l.* The increase upon butter has been 16,921*l.*; and upon cheese, 7,179*l.*; making a total increase on those articles of 24,100*l.* There has also been an increase in the revenue on the article of tobacco of 111,620*l.* On the other hand, there has been, as of course was to be expected in consequence of the total suspension of the corn duties, a decrease in the revenue derived from corn amounting to 705,890*l.* There has also been a decrease in the revenue produced by the timber duties of 143,751*l.*; and a decrease on wine of 132,361*l.* With regard to the Excise, there has been a very large decrease, up to the date I have mentioned, the 5th January, 1848, upon malt and spirits. The decrease on malt has been 664,000*l.*, and on spirits 695,000*l.*, making a total decrease on malt and spirits alone of 1,359,000*l.* These, however, are articles upon which no one can be surprised that there should have been a decrease. This decrease undoubtedly is the result of the deficiency of the barley crop—of the general distress which has prevailed—and of the want of power to consume articles of luxury during a period of great commercial depression. I will now refer to the expenditure for the year ending the 5th of April, 1848. The estimated expenditure was 61,576,000*l.*; but the excess on the Navy Estimates, according to the exact sum voted has been 185,000*l.* The interest on the loan taken last year is 280,000*l.*, and the increase in consequence of the raising of the interest on Exchequer-bills is 142,000*l.*, making a total of 52,083,000*l.* But the expenditure was altered in some votes afterwards, there being, as there always are, different votes passed during the Session not reckoned in the budget. The total expenditure voted was 52,315,709*l.* The estimated receipts to which I have already alluded will be 51,362,060*l.*, making the deficiency 953,649*l.* Sir, I have now to state what I calculate will be the produce of the various articles of the revenue in the year, from the 5th of April, 1848, to the 5th of April, 1849; and I will state in the usual manner the different articles enumerated, and the amount of the proposed estimate on each. We propose to take the Customs at 19,750,000*l.* We take the Excise at 13,000,000*l.*, which is a somewhat higher estimate than that for the current year, it being supposed that malt and spirits will not exhibit such a great decrease during the next year as they have done during the past. The revenue from the duty on stage-coaches is estimated by that department at 500,000*l.* The Stamps are estimated to produce 7,200,000*l.*; the estimates under this head being diminished by the transfer of stage-coaches to the Excise. The taxes we take at 4,340,000*l.* The Income-tax, which in 1846 was 5,084,000*l.*, and, in 1847, 5,464,000*l.*, we propose to estimate for the next year at 5,200,000*l.* The Post Office, up to January, 1848, produced 923,000*l.*; we propose to take it at 900,000*l.* The actual amount paid on Crown lands during this year has been 60,000*l.*, and we propose to estimate them at the same sum for the next year. The "Miscellaneous" for the year ending in January, 1848, produced 325,000*l.*; but that amount included large House of Commons' fees, which will not be forthcoming this year; and, therefore, I propose to estimate the revenue under that head for the next year at 300,000*l.* The whole

amount of the revenue for the year, according to this estimate will be 51,250,000*l.* I may here state that, for several years, there has been a casual increase in the revenue from the payment of China money, of the sums paid as indemnity by the Chinese; but we cannot hope any longer to derive any revenue from that quarter. Now, taking the expenditure voted at 52,315,709*l.*, and the estimated receipts for the next year at 51,250,000*l.*, there will be a deficiency of revenue as compared with expenditure of 1,065,709*l.* That is, on the supposition that the expenditure is the same in the year 1848-49 as it has been in the past year. But there is a large sum to be voted for the excess of the expenses of the Navy, up to April, 1847, amounting to 245,500*l.*; and there is a sum of 1,100,000*l.* on account of the Caffre war, the accounts for which have come in lately; and, taking into account these two sums, amounting to 1,345,500*l.*, there will be a deficiency upon the income I have reckoned, supposing the establishments to be the same as for the last year, of 2,411,209*l.* Now, Sir, I have wished to lay this view of the condition of the finances of the country early before the House, in order that the House of Commons might take into its full consideration the state of the finances and the circumstances of the country; and from that state of the finances, and from those circumstances, may resolve upon the course which it shall seem to them most befitting the interest and the credit of the nation to adopt. There are evidently various courses which are open to the House to take; and all I propose to do to-night is, to state that course which seems to the Government to be the best, leaving it to the deliberate consideration and determination of this House to decide whether the step we propose is that which is most befitting, or whether, under the circumstances I have mentioned, any other course is more advisable, and will be more conducive to the future welfare of the country. And, Sir, it cannot but strike every one that there is one great question involved in this state of things—which is, that even without any increase of your expenditure you must supply the deficiency which at present exists by increased taxation, or else that you must come to a resolution that you can make great reductions in your military and civil establishments, and in that manner reduce your expenditure so as to meet the income without any increased taxation. Now, I wish that subject to be fairly considered by the House; and I think it is better, without waiting for the discussion of the question upon Motions made by individual Members, that I should now state the views which are entertained on this point by Her Majesty's Government. Sir, opinions—extreme opinions, as I think—have been held and discussed out of doors upon the subject of the defences of the country. There have been put forward, on the one hand, what I may call four different propositions: first, that we may, at any time, find ourselves suddenly involved in war; secondly, that that war may be followed by an immediate invasion of this country; thirdly, that foreign Powers, and especially France, have made great military and naval preparations of late years; and, fourthly, that our military and naval preparations have been totally inadequate to meet this danger. It has been stated, on the other hand, that there is every prospect of peace; that the inclinations of foreign Powers are most friendly towards this country; that an invasion is the most improbable of all things; that foreign Powers are looking rather to a reduction than to an increase of their military preparations; and that our own estimates, instead of being too low, are extravagantly high. These are the counter-propositions which have been enunciated out of doors. I feel that this subject is one of great difficulty and delicacy; but still, discussed as it has been, I do not think I could justifiably refuse, on the part of the Government, to state the view we take of the propositions I have mentioned. That being so, I wish, in the first place, to guard myself against any supposition that I think there is, in the present state of our foreign relations, and especially in the state of our relations with France, any reason to fear the rupture of the peace which now happily prevails. Sir, no man in this House can be more persuaded than I am of the advantages to this country—to all the countries of Europe, to all the world—the advantages and the benefits of peace. I am impressed, likewise, with the advantage to both these countries of our friendly relations with France; and no one is more anxious than I am that the relations of these two powerful countries, both possessing representative and constitutional Governments—both having had enough of what is called "glory" to satisfy those who are most greedy for reputation—may henceforth be of the

most amicable—I could wish them to be of the most intimate—character. There is, however, another point on which I also wish to guard myself. I find it stated in a pamphlet written with the most friendly intentions toward this country, by M. Michel Chevalier, that the Duke of Wellington has sought by a letter of his, which has been lately published, to make a kind of pamphleteering answer to the Prince de Joinville, and to call the attention of the public to the state of the defences of this country. Now, I will venture to say, that nothing could be further from the intentions of the Duke of Wellington. I know perfectly well—for he has expressed it in a letter to me—that nothing has given him greater pain than the publication of sentiments which he had expressed confidentially to a brother officer. The Duke of Wellington, as was his duty—as is his duty—has from time to time communicated to the Government of the country, and does now communicate to the Government of the country, what he considers ought to be, and what he thinks may be the deficiencies in, the state of our defences; but in so doing, nothing could be further from his wish than either to make any public appeal, or in any way to inflame or exasperate relations between this and foreign countries. Nothing can be more pure than the patriotism of the Duke of Wellington; and, although it is no discredit to any man to have an instinctive patriotism which makes him love his own country beyond all others, yet I must say, that, with the patriotism of the Duke of Wellington, there has been always joined an opinion—which I share with him—that it is most desirable to maintain the independence and the power of this country as a guarantee for the freedom, the independence, and the civilisation of the other nations of the world. No man, therefore, can impute it in any way as blameable to the Duke of Wellington if he should have expressed his sentiments in the way that I have stated; and I should think it quite unnecessary to make any defence upon that subject were it not, in the first place, that I may have the misfortune to differ from some of the opinions that he has expressed; and that, in the next place, it is not only a foreigner, but some persons in this country, who have misunderstood the motives of the Duke of Wellington; and, lastly, because I know perfectly well that, however strong his cause, he is always reluctant personally to defend himself. Having stated thus much, I will now refer to those points which I have mentioned as involved in this question. With regard to the first, that this country may be at any time involved in war, it is unhappily, notwithstanding our amicable relations with foreign countries at this time, a contingency which no man can deny to be possible. There have been, since the Peace of 1815, questions in dispute with the United States, with Russia, with France, which, had not forbearance been shown on both sides, might have led to hostilities. Even so lately as 1844, at a time when our relations with France were most friendly and intimate, a question arose which, I own, affected me with the deepest anxiety; I allude to an insult offered to a civil officer of the British Crown on a distant station. The hesitation which was shown with regard to granting reparation for that insult was such that the right hon. Gentleman opposite (Sir Robert Peel), who was then the First Minister of the Crown, spoke in this House in reference to it in language which seemed to me at the time to be not only justified by the circumstances, but required by his position. But persons of the highest authority in France declared at the time that that language on the part of the right hon. Gentleman made it difficult for the French Government to offer the reparation it was bound to make, and which, after a time, they made. I mention this only to show how circumstances of a trivial character may affect our relations with foreign countries, and what sensitive pride, what susceptibility there may be on the part of nations which, like France and England, are nations of great power and of great strength, but yet extremely jealous of anything that may in the least trench upon their honour; I mention it here to show by what a slight accident, and with what little fault on the part of the Executive Government on the one side or the other, the peace of the world may be endangered. I cannot, therefore, but admit that, however tranquil the atmosphere may be at the present moment, it is possible that there may, at any time, arise an unforeseen circumstance calculated to disturb the peace of the world; and when I recollect that Mr. Pitt, with all his sagacity and talent, predicted in 1792 a long continuance of peace, I cannot deny that this country ought to look forward to the contingency of war, in any state of the world, as an event which it is impossible for me or for any man to say

may not suddenly arise. With regard to the next point—that of an invasion of this country—although I am not one of those who consider it as a very probable event, yet I feel that even improbable events ought to be guarded against; and there is one circumstance which, although it might afford no rational hope for an invader, might yet appear a plausible ground for supposing that invasion would be more successful than in former times. In the course of the last 300 years, as any reader of English history may perceive, there have been numerous occasions when we were engaged in war, and the elements have stood our friend; and expeditions prepared with the greatest cost and power have been defeated, dispersed, and overwhelmed by the adverse winds which they had to encounter. Science and skill, since the great Peace of 1815, have enabled seamen to traverse the seas against the wind, in spite of the elements; and it certainly is possible that that circumstance might induce a hostile Power, when war was once begun, to consider that this country is more open to invasion than it has been in former times. With regard to the third point—the preparation that has been made, it is certainly true that, of late years, since the Revolution of 1830, under a King who is, I believe, a most sincere lover of peace—under a King who has maintained peace during the whole of his reign—there has been a very large increase of the naval force of France. That force, be it observed, cannot be said to be, as ours is, a force intended to defend very wide and extensive colonial possessions, or intended to protect a commerce that is scattered, with great riches and with a vast capital involved in it, in every quarter of the world. Neither the French colonies nor the French commerce are of that extent in distant parts of the globe as to require such a large increase of force as has taken place within the period to which I allude. I find that in 1833 the number of men on the naval inscription in France was 101,000; in 1847 it was 134,000. I will not read all the different particulars, but the value of the annual consumption of materials was 640,000*l.* in 1833, and it had risen to 1,120,000*l.* in 1847. The number of vessels at sea had increased from 153 in 1833, to 216 in 1847, 66 being steamers; that is the number of steamers at sea; the number of steam vessels belonging to the French navy is, I believe, upwards of 120. The seamen serving in the navy of France have been increased from 18,000 to 29,000; the expenditure for naval purposes, from 2,280,000*l.* to 3,902,320*l.* The stores afloat and the amounts in the arsenals and dockyards for naval purposes are very extensive. But then I am told that in the estimates for the present year there has been a reduction. It is true, in the French naval estimates there is a saving of 81,000*l.* on the wages of seamen, but there is an increase of 112,000*l.* in stores and fortifications and dockyards, making altogether an increase of 31,000*l.* in the period I have named, and not a decrease. I have here another statement of the navy of France, with which it is not worth while to trouble the House, but it shows that the whole sum to be voted for the navy for 1849 is 3,817,107*l.* I am not alluding at all—it never has been the custom to allude, and I think we are quite right in that respect—to what may be the military force of foreign Powers. I do not therefore allude at all to the amount of the standing army that is kept up in France, or in Austria, or in Prussia, or in other foreign countries; but so great an increase in naval estimates, I think, does require the attention, and at all events should be within the knowledge, of the House. Of course, I need not say that a number of the French steamers would carry from 1,200 to 1,500 men, and might be used for that purpose on a very short notice. But I come now to the fourth point; and that is, that it is stated that, while there has been this increase, and while we are exposed to this danger, which may overrun England in a day—which may all on a sudden destroy our arsenals, or may even involve the occupation of this capital itself, there have been no adequate military and naval preparations made in the ports of this country. Now, I do beg the House to attend to this subject. It has been made a matter of reproach by some hon. Members, and it ought to be matter of consolation to those who are so fearful that our force will never be sufficient for the purposes of defence, to attend to the increase of our force since 1835. In two particular years there has been a very large increase. It was stated by my right hon. Friend the Chancellor of the Exchequer, that, in one year, I think in 1836, there was an increase of 5,000 seamen; and the right hon. Gentleman opposite (Sir R. Peel), when at the head of the Government, in 1845, proposed an increase amounting, I think, to 4,500, certainly

upwards of 4,000 in one year. The whole increase of the Navy—seamen, boys, and marines—has been this: the seamen from 15,500, in 1835, to 27,500 in 1848; the number of boys has remained the same; the marines from 9,000 to 13,500; making an increase altogether from 26,500 to 43,000, an increase of 16,500. The Army has, in the same time, been increased from 100,991 to 138,769, being an increase of 37,778. In the Ordnance Department the men have been increased from 8,252 to 14,294, being an increase of 6,042; so that the whole regular force of Navy, Army, and Ordnance has been increased from 135,743 to 196,063, making an increase of 60,320 between the years 1835 and 1846. I believe I have voted in every year for these items of increase. I think that our force was very inadequate in 1835, and I believe that those items of increase have been properly voted by the House; but at all events it cannot be said that there has been in any respect any unwillingness in this House to vote the sums said to be necessary for the national defence. But there have been of late years other kinds of forces which have been drilled and organised, and which, as I believe, would be found most useful and effective. Under the late Government, 15,000 of the old soldiers of the line were organised as pensioners; under the present Government there have been dockyard battalions organised, very efficient, as I believe, amounting to 9,800 men. These battalions may be thus classed: artillery 2,843, bomb battalions, 2,116; infantry, 3,428; sappers and miners 1,586—total 9,873. This force have a number of guns. They have attached to them field-pieces 168; ship guns, 144; battery guns, 306, other artillery, 432—making altogether 1,050 guns. A great part of this force could be moved at any time, supposing a particular point was threatened, to any part of the coast, carrying the field-pieces with very great despatch. There has been adopted, likewise, a plan for organising and drilling the coast-guard, and for adding to that coast-guard other men, who, for a very small amount of pay, would attend on certain days. These, I believe, would make a very efficient corps; the coast-guard men amount to 2,000, and these supplemental men to 6,000, being a total of 8,000. I do not believe, therefore, that on this head of the number of men there has been unwillingness, on the part of the Governments of different times, or on the part of this House, to make an adequate provision for our defence. The sums voted also have increased at least in proportion to the number of men. Confining myself to the total of the Army, Navy, and Ordnance, the cost has increased from 11,730,073*l.* in 1835, to 17,340,096*l.* in 1847. I need not enter into any of the details, the totals are those I have mentioned. The question to which I come, then, is whether we should now make a very great reduction in our force—whether we should, taking the opposite view, make a very large increase of that force—or whether we should continue adding from time to time to such parts of that force as may seem to the Government and the country to require increase, and be satisfied with the additions and alterations suited to the circumstances. Our opinion is, that, in the first place, considering the position of this country—considering our immense empire, the number of colonies that have been added to that empire, the very great charge upon our military force, the possibility of war, the duties of this country to defend herself and to maintain her independence, it would not be wise to endeavour to make your expenditure equal to your income by large reductions. On the other hand, we are no less of opinion that there is no reason for any sudden alarm or precipitate measures. Our belief is, that, taking the different forces that you have—the Navy, and Army, and Ordnance—with moderate additions with regard to certain branches of those services, this country will be in a fit state of defence, and will thereby have every security for peace. I say, the security for peace, because I conceive that the object of all these arrangements is to obtain that security. Let any one consider what would be the effect if by accident such a state of feeling should exist between this country and a foreign Power as I have alluded to as having unfortunately prevailed between this country and France in 1844. In such cases the people of a country are usually divided into parties—one wishing for the maintenance of peace, whilst another is eager to rush at once into war. If the war party were able to say, "Look at your neighbour; she is totally defenceless; now is the moment when a blow can be struck from which she will never be able to recover," —I contend that, under such circumstances, the war party would have a great advantage. On the other hand, if the peace party could say, "Look at the preparations which this Power has made—look at the forces which she has ready to

repel and to defeat any attempt which may be made by sudden surprise to invade her territory,"—then, I maintain that the peace party would possess a great advantage. Well, then, what is our state as regards the Navy? We propose to increase the navy estimates of this year by 164,000*l.*, of which sum 94,000*l.* are for services not naval, leaving only 70,000*l.* as the actual increase in the naval expenditure of this year. I hold in my hand a letter written to me by Lord Auckland, in consequence of a desire expressed by me that his Lordship would bestow his utmost attention both upon the estimates for the French navy, and those which were to be laid before the House of Commons, from which I will read some passages. [The noble Lord here read an extract from the letter referred to, describing some arrangements contemplated by the Admiralty respecting the squadrons on foreign stations, and describing the progress made in the building and equipment of steam vessels of war.] I think that is a very wise precaution. It refers to that which must be our great defence in case of war—the defence to be afforded by the Navy. And let it not be forgotten, that if steam navigation furnishes a country desirous of invading this with an advantage in the power of rapidly conveying troops across the sea, it also gives us countervailing advantages in the means of blockade and watching an enemy's ports, which the skill and science of British seamen would not fail to take advantage of. I hold, therefore, that with the votes which we propose, this country will be found fully prepared, as far as naval preparation is concerned. I do not wish to enter into other particulars connected with this subject; indeed, it would be objectionable; and, therefore, I trust that the House will excuse me. I may state, however, that in conformity with the declaration which the Government made last year, it is proposed to add 1,500 men to the Marines, which, with the 1,500 added last year, augments that force by 3,000 men. With respect to another point, not immediately referring to the estimates of the present year, but respecting which a good deal of alarm at one time prevailed—namely, the defences of the dockyards, I beg to state that that subject attracted the serious attention of the late Government, by whom it was carefully considered, and by whom preparations were made for putting the dockyards into a necessary state of defence. It must be confessed that for several years the defences of the dockyards had been very much neglected. Upon inquiring what sums had been spent upon these necessary works for the last few years, since 1844, I found them to be as follows:—

Portsmouth	101,210*l.*
Plymouth and Devonport . .	57,077*l.*
Pembroke	33,633*l.*
Sheerness and the Thames .	70,876*l.*
Total . . .	262,796*l.*

Of the above total, 54,297*l.* are for the purchase of land and buildings. I believe the fortifications have been constructed by the most skilful engineers. They were inspected last year by the Commander in Chief, the Duke of Wellington, and the Master General of the Ordnance; and the Duke of Wellington has more than once assured me that he was perfectly satisfied with the manner in which the works were being carried on. To sum up my statement, then. With respect to the Navy, I may say that we propose to increase the estimate for this branch of the service by only 70,000*l.* With respect to the Army, it should be stated, that although we do not propose to increase the military force by a single man, yet in the course of the year the number of men in the United Kingdom will be materially increased by the return of several regiments from India. I cannot compute the number of men who will arrive in England from India in the course of the spring and summer at less than 5,000, and it probably will be more. The reduction of the army in India has been accomplished by the prudent and economical arrangements of Lord Hardinge, who, having triumphed by his skill and courage in the conduct of hostilities, determined, as soon as hostilities were terminated, to place the finances of that country in a satisfactory state by taking on himself the unpopular task of effecting great reductions. I may say that, notwithstanding those reductions, I believe the safety of our Indian empire was never so well secured as it is at the present moment. There will remain in India an army of 240,000 men, of whom 28,000 are European troops, after all the reductions which Lord Hardinge purposes, although those reductions will effect a saving of upwards of 1,000,000*l.* sterling. One effect of the new arrangement with respect to the Indian army will be, as I have already stated, a considerable increase in the number of soldiers in this country during the present year. The number of rank and file at present in the United Kingdom is

55,000; but I expect it will amount to about 60,000 in the course of the summer. I believe that it is long since so large a military force as that has been maintained in this country. The augmentation, recollect, is not caused by any direct increase in the gross number of the Army, but partly by bringing men home from India and the colonies — a regiment from the West Indies, and some others; and I have no doubt it will be further increased by the removal from the Cape, by Sir Harry Smith, of the regiment which was detained there upon its return home from India. I believe that during the present year the number of men in the United Kingdom will exhibit an increase of 20,000 as compared with the year I before mentioned — 1835. I will not weary the attention of the House by going through the various items of the Army estimates—it will be the duty of my right hon. Friend the Secretary at War to give full explanation with respect to them hereafter; but I will content myself with stating, that we propose to increase the estimate only to the extent of 43,000*l.* With respect to the Ordnance, we propose a more considerable increase. It must be apparent, that although it would be possible to make a considerable and rapid increase in the number of the infantry of the Army, on a sudden emergency, it would not be possible for the Government to make a similar augmentation in the service of the artillery or in the service of sappers and miners; indeed, it may be assumed that it would hardly be possible to make a large increase in that description of force in less than eighteen months, or perhaps two years. Taking this view of the question, therefore, we last year proposed an increase in the Ordnance estimates, and we intend this year to carry the increase further, under the heads of Artillery, and Sappers and Miners. We propose an increase of 99,000*l.* for the first vote, which will give 451 sappers and miners, and 1,451 royal artillery; in the whole an increase of 1,902. There will likewise be a very considerable increase in the Ordnance, under the head of Stores; and, without entering into detail on this subject, I will state generally that, on the showing of the Master General of the Ordnance, whom I desired to place all particulars fully before me, I am satisfied that an increase of small arms, and a progressive increase in the stores of gunpowder, is a matter of absolute necessity. Those are stores which, on the sudden breaking out of a war, it would be impossible to supply in the course of a week or even of a month or so; and therefore it is necessary to prepare a stock calculated on the probable expenditure of stores formed by the estimate of those most conversant with the subject. The increase in the Ordnance estimates, for the present year, which we propose to make, amounts to 245,000*l.*, which, added to the increase for what I may term Naval purposes, of 70,000*l.*, for the Army of 43,000*l.*, and for the Ordnance of 245,000*l.*, will make a total increase in those three items of 358,000*l.* There is another species of force with respect to which we propose to lay a measure before the House in the course of the Session, and for which I purpose to take a vote in the estimates which now lie upon the table. In considering the question of national defence, it is necessary to take into calculation chances, however remote; and one of those chances is the possibility of an enemy landing on our shores. In that case it would be necessary to garrison Portsmouth, Plymouth, and other dockyards and points of defence; and our force of 60,000 men—large as it is, as compared with that which we have had in previous years — it appears to us, would not altogether suffice for that purpose, and at the same time leave a sufficient number of men in the field. There is, however, a force to which the country has in former times looked for its defence —which has always been held to be the constitutional force of this country—a force which has been called into active operation at former periods of our history—which has been kept up during a period of peace—which was the favourite force of one of the greatest men the country has ever produced, Lord Chatham — I mean the militia. It is fitting I should state that, in my opinion, difficulties now exist with respect to the question of embodying the militia which did not prevail at any former period. By the habits of the people of this country, we are, I think, placed between two difficulties with respect to this subject. If we should adopt the system of allowing substitutes to be offered, it is to be feared that, from the migratory habits of our labouring population, the substitutes would not be available when they were wanted. Then, on the other hand, if we should refuse to take substitutes, we should impose upon the people of this country the hardship of military service, to which they

have never been accustomed, and which they would reluctantly consent to undergo. I state these as the difficulties attending the subject; but we will propose a measure which appears to us best calculated to obviate those difficulties. I wish that measure to be maturely considered by the House; and, if the House should sanction its second reading, it can be fully examined in Committee, with the view of determining whether it is suitable to the present circumstances of the country. It is for the House to decide whether the militia force can be, or ought to be, reorganised at the present time. If it be practicable, I believe it to be right, as I am sure it is useful, to have a portion of our people trained to the use of arms, and capable, on the breaking out of hostilities, of being marched to any point at which their services might be required. And there is this additional reason in its favour, that I think the House, if they cannot come to a conclusion that organisation of the militia force is desirable, will be obliged in future years, in the next year, or in some future year, to propose a still further extension of the Army, so that this country may not be without a sufficient force to oppose to an enemy, supposing hostilities to happen, and that the enemy were to evade all our naval opposition, and were to succeed in landing on our shores. I propose taking a vote for 150,000*l.* in the present year, with the view of laying the foundation of this militia force. I have referred to the subject, with its accompanying difficulties, and I shall be happy to have the assistance of the House in coming to such a conclusion on the question as may be most advantageous to the interests of the country. I will now state what will be the total expenditure for the year ending the 5th of April, 1849:—

	£.	£.
Funded Debt	27,778,000	
Unfunded Debt ...	752,600	
		28,530,600
Consolidated Fund charges		2,750,000
Caffre war	1,100,000	
Naval excess for the past year	245,500	
		1,345,500
Navy	7,726,610	
Army	7,162,996	
Ordnance	2,924,835	
Miscellaneous ...	4,006,000	
		21,820,441
		54,446,541
Militia		150,000
		£54,596,541

If, then, the Government is right in the view which it takes of the necessities of the country—if it be right in thinking that it is not expedient to make large reductions in the naval and military services, but, on the contrary, that it is expedient to go on maintaining and improving the forces which we have—it is obvious not only that I must propose the renewal of the Income Tax, which would otherwise shortly expire, but also that it will be necessary (supposing the House should approve of such estimates as those of the past year, or of any at all equal to them) to impose additional taxation. In addressing myself to this question I will speak only of what I think the necessity of the time demands. It is obvious that a great part of the deficiency to which I alluded at the commencement of my statement is attributable to the state of the country, afflicted, as it has been, with scarcity and with commercial and manufacturing distress. Although it would be idle and presumptuous to say, that the country is at once to return to a state of prosperity, yet we may, I think, look, in no long course of years, to an improved state of the commerce and manufactures of the country. If we should this year be blessed with a bountiful harvest, the effects of that scarcity which we have had to suffer will, in time, be removed, so that as regards our revenue we may, at no distant period, look to an improvement. In the statement I have made with regard to the expenditure, it should be borne in mind that no less a sum than 1,100,000*l.* is required for defraying the charges of the Caffre war. But, by a hurried letter recently received from Sir H. Smith, there is reason to believe that the Caffre war is at an end. I wish I could at the same time say that there was also an end to the bill of expenses on account of that war. Still I hope that the next sum we may have to vote may be greatly diminished; and should the war really have ended, we may very fairly look to a discontinuance of that cause of expenditure. My right hon. Friend (the Chancellor of the Exchequer) reminds me that the 1,100,000*l.* is for two years' expenses. That is true; the expenditure, therefore, for the next year will only be a portion of that sum. On both these grounds, therefore, namely, on the ground of the future improvement in the revenue —though I will not be so sanguine as to estimate it in the present budget—and on the ground of a diminished expenditure, by

the cessation of the Caffre war, we may hope that only a temporary increase may be required in our taxation. In saying what I think that increase should be, I shall consider the present state of the taxation of the country, and the great reduction of taxes made by the late Government and by former Governments on articles of general consumption. I think any attempt to impose a percentage duty upon that class of articles would only tend to diminish your revenue. I think any increase or any new tax upon those articles of consumption would be very unwise, and more particularly so at the present moment, when it is to be hoped that the increased taxation will not last beyond a short period. Such a course would incur all the difficulties and embarrassments incident to the preparation for collecting a tax, and which was only to exist for a limited time. Therefore, Sir, the proposition which we have to make—and I will now state it at once—is, that we should propose a vote to renew the present Income Tax from April next for a period of five years, and that we should vote an increase of that tax from 7*d.* to 1*s.* in the pound, or from 3 per cent to 5 per cent, for a period of two years. I will state, without going into the arguments upon the subject, that considering the very great distress which for these two years has prevailed in Ireland, considering that you did not originally, in 1842, impose the Income Tax on Ireland, and that a very great struggle is now making in order to adapt the social condition of Ireland to the great change that is now taking place in that country, as regards the working classes and the relations between landlords and tenants—in regard to the landlords inducing them to improve their lands, and in regard to the farmers inducing them to pay wages for labour—considering that all classes in Ireland, are called upon to take part in this great change, we think that in justice we have a right to impose this tax upon Ireland as well as upon England. Admitting fully the justice of that course, we consider that this is not the moment—[*Laughter, and cries of* "Oh, oh!"] I must beg hon. Gentlemen, when we come to that argument, a little to consider that we have not only to deliberate upon what may be abstractedly fair and just with regard to taxation, as between England and Ireland, but that we may have likewise to consider that the prosperity of the United Kingdom is bound up together; that if you check the exertions now making in Ireland to place her in a state of prosperity, you check the prosperity of the United Kingdom; but that if, on the contrary, you abstain from imposing upon that country a burden which she might for the moment be unable to bear, and reserve the imposition of any additional burden till she is more equal to sustain it, you in fact provide for the prosperity of England and of Scotland as well as of Ireland itself. We propose, therefore, to take the tax exactly as it has been imposed in past years; we propose it on the same principles on which it was proposed and defended by Mr. Pitt; on the same principles on which it was increased by Lord Grenville and Lord Lansdowne; and on the same principles on which it is imposed and defended by the right hon. Gentleman opposite. True I voted against that tax in 1842. I think I was quite right, perfectly right in so doing. I voted for the tax in 1845. I neither repent of my vote in 1842 nor of my vote in 1845. My right hon. Friend the Member for Portsmouth (Mr. F. Baring) said in 1845, that the question was "whether you should continue other taxes on articles of consumption, or whether you should diminish protecting duties, and propose the continuation of the income-tax. You have taken," said my right hon. Friend, "the latter course, and having done so, I think it would now be inexpedient to repeal your income-tax for the purpose of imposing other taxes." I concurred in the opinion of my right hon. Friend on that occasion. That was the opinion upon which I acted in 1845, and it is the opinion on which I now make this proposition to the House. In looking at this question, may I for a short time ask the attention of the House to the great reductions that have been made from time to time in the duties imposed upon articles of consumption by the great body of the people? It is stated by Adam Smith, that there were three or four articles which, being necessaries of life, ought not to be made the subject of taxation: those articles were candles, leather, coal, and soap. Now, on all these articles taxes were imposed, but within a few years those taxes have been entirely taken off. There are other articles which were stated by Adam Smith fit subjects to be exempted from taxation, such as malt, beer, glass, and so forth. Now the amount of duties and taxes taken off from these and other articles within the last few years is I find from the list I hold in my hand to be as follows:—

Salt, 1823 and 1825 ...	£1,490,007
Candles, 1832	482,413
Coals, coastwise, 1831 ...	958,299
Leather, 1822 and 1830 ...	600,282
Beer and cider, 1830 ...	3,080,468
Glass, 1845	647,674
Sugar, 1845	2,309,857
Butter and cheese, 1846 ...	112,416
Grain and meal, average of five years, 1842—1846 ...	862,256
	£10,543,672

On the last article the duty will be wholly removed in February next, so that the total amount of taxes remitted upon the leading articles of consumption by the great body of the people is no less a sum than 10,543,672*l.* If there should be any doubt as to the amount of relief afforded by the reductions on these articles, there are other articles on which reductions of duties have been made, that were formerly prohibited from being imported into this country that would show that I have rather understated the amount of taxes actually taken off, to the great advantage of the consumers. The total amount of taxes taken off since the Peace, after deducting the income-tax recently imposed, is 39,705,341*l.* The figures appear thus:—

Total of taxes taken off from January, 1816, to January, 1848	Taxes reduced and repealed	£52,820,755
	Less taxes imposed and increased (exclusive of income-tax, 1842) ...	£7,736,577
		£45,084,178

Income-tax imposed—		
1843 £5,387,455		
1844 5,329,600		
1845 5,182,649	Yearly average	5,378,837
1846 5,543,682		
1847 5,450,800		
		£39,705,341

I do not think, therefore, considering that such has been the diminution of taxation, that we are asking too much of the House when we propose a temporary increase of an existing direct tax, in the face of circumstances of almost unparalleled difficulty which have occurred during the last year, and that with a view of keeping up our establishments—I trust not extravagantly, not inordinately, but—adequately to the necessary and permanent defences of the country. The result of this estimate is as follows:—the expenditure, as I have already stated, is 54,596,500*l.*, and the income is 51,250,000*l.* I take the increase of the income-tax at an amount less than I might have taken it if there had not been so much commercial distress. I might have estimated it at 3,700,000*l.*; but I put it at 3,500,000*l.*, making a total income of 54,750,000*l.* There is one tax which, though moderate in its aggregate, presses very severely upon one species of operative industry, and which sins against those principles which have of late years been adopted in legislating with regard to commercial subjects. It is a tax which can be taken off advantageously to an important branch of industry, without any serious diminution of the revenue such as would be caused by a considerable diminution of the duty on tea, or the repeal of the window-tax—I mean the tax on copper ore, which was imposed in 1842, on the ground that foreign copper ore might be admitted at a small duty, instead of having it smelted in bond, as it had formerly been. It was consequently admitted at a small duty; but the effect of that has been—or, if not the effect of that, the result of concomitant circumstances has been—that smelting is now carried on to a great extent in Chili and other parts of the world where it was not carried on before, and the smelting establishments of this country have greatly suffered in consequence. I do not think that the owners of copper mines in this country will be any sufferers by the removal of this tax, and thus, by taking away all obstacles, giving a prospect that the smelting of copper in this country will be restored to its former prosperity. The amount of the tax is only 41,000*l.* By deducting this tax, and adding the 150,000*l.* for the militia, the totals will stand thus:—54,750,000*l.* as revenue, and 54,637,000*l.* as expenditure, leaving a surplus of 113,000*l.* But in stating this, I ought to refer again to the extraordinary expenditure of 1,100,000*l.* on account of the Caffre war; therefore, although for the present year there will only be a surplus of 113,000*l.*, owing to that extraordinary expenditure, yet, in the course of two years, without that expenditure, you will be more favourably circumstanced, and will have a large increase of surplus. This will afford you the means for taking off some tax which may be considered to press most heavily upon the industry of the country. I have now stated all that I think it is my duty at this time to place before the House; and, although I had intended to keep my pro-

mise to the House, and state only the outlines of the financial condition of the country, yet I have been obliged to enter considerably into detail, both in regard to the falling-off of the revenue, and the reasons for the estimate which we now propose. I have done so, with a view that they might be fairly before you, and that the House might make up its mind considerately and deliberately upon this subject. We might have asked you to have voted the Navy and Army Estimates, which would have shown but a very small increase, and have postponed our financial statement to a later period; but I think it is due to the House of Commons that they should know what we intend to bring before them; and that if they vote for the estimates we propose, some increase of taxation will be necessary. Therefore we propose to them at once that question, which may be the most difficult and which also may be the most unpopular course as far as regards ourselves, but which both we and the House are nevertheless bound to look in the face as the guardians of the public purse, and as the guardians of the independence and honour of the country. I have shown you that during a peace of upwards of thirty years, this House has been enabled to take off nearly 40,000,000*l.* of taxes, of which more than 10,000,000*l.* pressed upon the comforts and enjoyments of the industrious classes of the people; while doing that, you have preserved your empire not only undiminished, but extended. Consistently with these reductions, you have been enabled, under the guidance of the right hon. Gentleman opposite (Sir R. Peel), to give scope to those principles of commerce of which Adam Smith was the great propounder, and of which Mr. Pitt in the plenitude of his power declared himself an advocate and supporter. With these reductions you have been enabled to suppress insurrection in Canada, and to repel aggression in India. You have been enabled to maintain your colonial establishments, and protect your fellow-subjects at the Cape of Good Hope, they being subjects of the same Sovereign, and inheritors and participators of the same glorious privileges that belong to all the members of the British empire. I believe that if you continue in this course, and persevere in upholding the credit of the country, you will be able in future years to give very great additional relief to the people by a still further reduction of taxation. I regret that it is not in our power honestly to propose such a reduction at the present time; and I cannot consistently with my duty to the country adopt that course. I have taken upon me that which is an odious part of the duty of a Minister, perhaps, but which is nevertheless an imperative duty, and from which I dare not shrink. I will end with stating my strong conviction that, by taking the course I have proposed, you will in time see the commercial credit of this country perfectly restored; you will preserve unimpaired the public faith, and you will run no danger of seeing this great empire insulted or injured by any Power whatsoever. The noble Lord concluded by proposing, *pro formâ*, the two following resolutions:—

Resolved—"That, towards making good the Supply granted to Her Majesty, the sum of 8,000,000*l.* be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland."

Resolution to be reported.

Motion made, and Question proposed—

"That, towards raising the Supply granted to Her Majesty, the respective Duties in Great Britain on Property, Profits, Professions, Trades, and Offices, and the Stamp Duties in Ireland, granted by two Acts passed in the sixth year of Her present Majesty, and further continued by two Acts passed in the eighth year of Her present Majesty, shall be further continued for a time to be limited.

"That, towards raising the Supply granted to Her Majesty, there be charged annually, for a time to be limited, the several additional Rates and Duties following, that is to say—

"For and in respect of all Property, Profits, and Professions, Trades, and Offices whatever, upon which an annual Rate or Duty of seven-pence for every twenty shillings of the annual value or amount thereof is now payable, there shall be charged for every twenty shillings of the annual value or amount thereof, an additional Rate or Duty of fivepence.

"For and in respect of the occupation of any lands, tenements, and hereditaments, upon which an annual Rate or Duty of threepence halfpenny for every twenty shillings of the annual value or amount thereof, is now payable, there shall be charged for every twenty shillings of the annual value or amount thereof, an additional Duty of twopence halfpenny.

"For and in respect of the occupation of any lands, tenements, and hereditaments, upon which the annual Rate or Duty of twopence halfpenny for every twenty shillings of the annual value or amount thereof is now payable, there shall be charged for every twenty shillings of the annual value or amount thereof, an additional Duty of twopence."

Mr. HUME must say that he had never listened to a budget with more pain than to that of the noble Lord. The noble Lord and his Colleagues evidently saw the state of the country in a

very different point of view from what he and those who acted with him did. The noble Lord seemed to think that this country was on the eve of a war, and that preparations ought to be made to defend us from our enemies. He had no doubt that if any call of that kind were justified by circumstances, there would be but one feeling to meet the call, and resist any attempt to invade the shores of this country. There were no doubt many persons in France who were proposing to raise up a great military staff in that country—a country whose interest it was to be in close alliance with England, as it was the interest of England to be on terms of amity and peace with her. But he deeply regretted the manner in which the question had been brought on by the noble Lord. He thought it highly imprudent to enter into a detailed statement of the forces of any other State, and especially to assign it as a reason for augmenting our own means of defence. It was, in fact, placing this country in a hostile position towards that State. It was, in his view, the most impolitic statement that could have been made. But that was only one part of the statement. The noble Lord told the House that the taxation of the country would amount to nearly 60,000,000*l.* sterling in this the thirty-second year of peace; and he pointed out the great decrease of the revenue, arising from the poverty and depressed state of the manufacturing population. The noble Lord knew the condition in which our commercial and manufacturing establishments were, and yet, with all this before him, he proposed an addition to the expenditure of the country. He was not prepared to assent to this proposal; on the contrary, not only should he ask the House not to add one shilling to the taxation of the country, but to make our expenditure meet our present income. The noble Lord acted on the same principle as a man who, professing an anxiety to keep the peace, marched about with gun and bayonet on his shoulder. He could not but say that the party which had brought forward the scheme proposed by the noble Lord were entirely ignorant of the feelings of the people, and of their capacity to bear the burdens suggested. He would not ask whether 60,000 or 70,000 men, rank and file, were required in England at the present moment; or whether our Navy, which was scattered over the world, meddling where they were not wanted, and wasting our means where there was no necessity for it, might not be more profitably employed nearer home? He should undoubtedly propose a reduction in our establishments to meet the excess of expenditure. On looking over the items of the estimates they might find some charges which would appear to be unnecessary unless they were about to prepare for war. Let the House look at our Army and Navy, and the great increase which had taken place in them since 1835. He was not aware that England was to be a military nation. The idea that we were to keep and maintain 300,000 armed men, including the Army, Navy, and Militia, was not to be thought of; and he considered that it was a state of things which in a time of peace this country ought not to bear, and could not bear without great privation. If the noble Lord had proposed to take off the window-tax, and all other taxes that pressed on the industrious classes of the community, he (Mr. Hume) should not have offered the least opposition to an income-tax of 10,000,000*l.* If there was any one part of the policy of the right hon. Baronet opposite (Sir R. Peel) which he approved of more than another, it was the change which he made by taking off 8,000,000*l.* of taxes from the articles used by the industrious classes of the people, and placing 5,000,000*l.* of taxes upon the property of the country. The working part of the community were over-taxed already; and unless some relief was afforded to them, the population of England and Scotland would become like the population of Ireland, and master and man would be alike crushed down to the earth. He made these observations with great pain; but he had lived long enough in that House to see a great many measures carried, though afterwards his objections against them were found to be true and correct. He should have but a poor opinion of the people of this country if they could suffer such an increased charge in our naval and military establishments in a time of peace, and when the country was looking for a reduction of taxation. How far the proposal of the Government for a militia would go he did not know; but he could tell the noble Lord that persons who might be drawn from the militia would not display the same spirit which they had formerly exhibited. He had no objection to an increase of the regular Army; but he did object to the Government taking

people from their homes, and placing them in a position which would unfit them for any other occupation. When he looked at his own parish, the rich parish of Marylebone, and found that there were 15,000 poor daily receiving parochial relief in it, he took that to be a sufficient indication of the depressed state of the country. He need only refer to the statement of the noble Lord himself to show the House what number of persons were wholly out of employment, or only half employed; and since he had entered the House that evening he had been told that several mills in Lancashire must be shut up in the course of a few weeks. Not having heard one reason adduced why our existing establishments should be increased, he should oppose the proposition made on the part of the Government.

Mr. BANKES would deal as fairly by the noble Lord as the noble Lord said he had dealt by the House, and would tell him at once he did not think the country was prepared for the propositions the noble Lord had laid down. The noble Lord wisely put the most popular estimates forward—first, the Navy estimates; for he agreed with the hon. Member for Montrose, that the country naturally turned to the Navy for their defence. There was never any disposition to cavil at those estimates; but, in the present case, he must say that he thought the Navy was employed in a way which caused an unnecessary increase in the expenditure for that branch of the service. He alluded to the squadron employed on the coast of Africa, which while it caused great destruction of life, failed to effect the beneficial object for which it was intended; if that squadron was ordered home a considerable expense would be saved. Then he might allude to the squadron in the Tagus, which conferred no national benefit, but only served to keep up contention and hostility. [Lord J. Russell: They are ordered home.] Then the very circumstance of their being ordered home would afford the Government facility for increasing the national defences without increasing the estimates; and, if they were ordered home, he thought the Government would have some explanation to give why they had been allowed to remain in Portugal so long, to that detriment of the ships and crews which the noble Lord had ascribed to remaining so long in port. [Lord J. Russell: They are cruising about.] He had been informed of one ship not having weighed anchor for ten months. He should have thought, therefore, that instead of requiring even the smallest increase, they might have had the satisfaction of hearing that their national defences were, as he believed them to be, in a very satisfactory condition—in that point to which they should turn their greatest attention. As to the Army, without suggesting that any decrease might have been proper, he must express his conviction that a different disposition of the same force might have been made, which would have saved that large additional expenditure of which the noble Lord spoke in dealing with the Ordnance estimates. He was quite aware that it required much more time to train men for the ordnance than for the infantry; but why should they not then diminish the infantry and increase the ordnance? But a suggestion had been made by the noble Lord as to the propriety of establishing a militia. That was a mere suggestion—the result apparently of a divided Cabinet; because the noble Lord had not pledged himself to that measure. He had thrown it out for consideration; but probably the present Cabinet, like some of its predecessors, had found the difficulty of dealing with that subject. His belief certainly was, that the proposition would be highly unpopular. The noble Lord had said that it was the old constitutional force. But when was it so? Why, at a time when there was no standing army. The standing army was proposed as an alternative; but having now got the standing army, they wanted to have the militia as well. [Lord J. Russell: There was a militia in 1757.] The militia was established in the time of Charles II., as a substitute for a standing army; and the only standing army which Charles had was paid for out of his own civil list. It was true, also, that Lord Chatham had commended the militia, but he had commended it as a force which prevented the necessity of a standing army. In Lord Chatham's time there was not, as now, a standing army of 60,000 men, or he would not have recommended the addition of the militia to that force; but something dropped from the lips of the noble Lord which had rendered his proposition even more alarming; for the noble Lord had said that the practice of substitutes had been found very inconvenient; and he supposed, therefore, that it was intended not only to draw men for the militia, but to compel them to serve. What was that but a conscription in every sense

as odious as any in the time of Napoleon? It was very true that something of that sort had been endured, and very cheerfully endured, by the people of this country about the years 1810, 1811, and 1812; he himself had served with 800 others in a militia regiment, and they had all borne that burden very cheerfully, because immediate invasion was then threatened, and they were acting in the face of their bitterest enemies. The bravery and gallantry of the country had been recently excited by the achievements of our enemies abroad; but the state of things now existing was so different that he could assure the noble Lord that the proposition would not be received even with patience now. When the army of Napoleon was encamped at Boulogne, it was natural that the bravery and spirit of the people should be excited; and from the recent memoirs which had been published, it appeared that that energy had had great effect in deterring Napoleon from attempting to invade our shores. If the occasion should again arise, he entertained no doubt that the same spirit would be manifested, and that in a very short time an efficient force might be raised. He knew that the militia regiment to which he had referred was brought in fourteen days—certainly within a month—to such a state of efficiency, that, on being reviewed by officers of great experience, it was pronounced to be fit, in conjunction with regular troops, for any service whatever; and a finer body of men never were seen. They might, therefore, at a very short notice, raise a very efficient force; and they need not fear the French newspapers; for if that feeling of hostility should ever become the general feeling of the French people—as he was quite satisfied that it was not at present—the same spirit would arise as before; but, under existing circumstances, they could not excite that spirit; and the burden, therefore, would not be borne. He had not the fear of French invasion which others had, because he had witnessed how quickly men were produced when they were really wanted. The noble Lord, however, said, that he was not so much afraid as others were, but he was a little afraid; and that he was not so bold as others, but he was a little valiant; and, therefore, he had brought forward a half-measure, which would not deter their enemies from the prosecution of hostile plans, but would put out of good humour their friends at home, who had been bearing great and unmerited distress. The present was a time when it was most important that they should take every precaution not to give any real ground for irritation to their poorer fellow-countrymen, or cause them to think that that House was forgetful of the misery and distress which they were obliged to endure. That was not the moment to talk of valour and triumph, but the time for reflecting how they could remedy the evils which pressed so heavily on the great masses of the community, The noble Lord, however, as a consequence of his proposals, had invited the House to fix a considerable additional charge upon the people. In 1842 the noble Lord had admitted that he had voted against the income-tax; but the noble Lord had spoken against it also; and his speech was a remarkable one with regard to the point then under consideration—our national defences. Speaking of foreigners, and especially, he supposed, of our foreign neighbours, the noble Lord had said—

> "They were not aware of the amount of the burdens from which the population had been relieved; and what would they think of the condition of England if the people suffered, after many years of peace, the imposition of a tax, which was always considered a war tax, and which they would not endure even one year after peace had been concluded? Would it not inevitably produce in their minds the conviction that we had no other resource? It would have to them the appearance as if we were making a severe struggle for our actual existence, and that, therefore, this country would be unprepared for war."

That was the strongest objection made by the noble Lord to the income-tax in 1842; and, therefore, he was placed in this particular situation. He said that his object was to assure all the nations of the world that we were afraid of none of them; to assure, especially, the more powerful States, who were the most likely to look with jealousy upon this country, that we were prepared for any contingency; and, in order to do that, the noble Lord had adopted the determination, according to his own showing, of playing his very last card—of playing that card, which, being played, all foreign nations must know that he had no other card left. He would, therefore, decline to continue the income-tax, if, under existing circumstances, that were possible; but, at all events, he urged upon the Government how inexpedient it was to increase that tax at the present time, and to hang out a signal of distress to the whole world. But perhaps the noble Lord would say, as he had referred to the former history of this tax, that they had still another

card left to play—another 5 per cent to impose; perhaps he might say that he would not stop till they had got the whole 10 per cent; but they would want to get it if they remained on those benches. The best wish, therefore, for the nation's sake was, that their reign should be a short one. The doubt was, as the hon. Member for Montrose had said, not so much whether it were wise to make these proposals, or whether the country could bear them. With these impressions, he regretted deeply the speech which they had heard that night. He could not then pledge himself as to the estimates to be proposed; he should regret extremely if he found it his duty to oppose any of the Navy Estimates; but with regard to the Army, he did hope that some consideration would be given to a different application and distribution of that force.

Mr. OSBORNE considered that of all the financial statements which it had been the duty of any Minister of the Crown to submit to the House, none ever exhibited greater candour than that which they had just heard; but, at the same time, he thought few statements had been made calculated to fill the country with so great alarm and consternation as that which had been so ably made by the noble Lord. He must confess he thought that had there been a regularly organised Opposition in that House, such a statement would never have been made; for any Minister of the Crown who ventured to come forward and call for an increase of taxation in the way done by the noble Lord, would in that case have signed the death-warrant of his Administration. He was much mistaken if, when that statement went forth to the country, the noble Lord's Ministry would not be regarded as the most unpopular and unfortunate that ever held power within the walls of that House. He had some time ago stated that it was his intention to call the attention of the House to the state of the national defences. He was glad, however, that the noble Lord had taken the subject out of his hands, for he was at issue with the noble Lord as to the most advisable means of improving the defences in question. For his own part, he believed that we could have increased naval and military efficiency with our present expenditure, and that, in fact, any Government calling itself a reforming and liberal Government might be able to cut down the expenditure in a way that would not prevent our being as efficiently served as now, instead of applying for an increase of taxation. The noble Lord had gone through the various items of this enormous load of taxation; and he had told them that since 1835 there had been an addition of 92,000 men for the defence of the country, including dockyard men and all the varied branches of the service. But the noble Lord had kept out of his statement a very material force—he alluded to the Irish police force, which they could not look upon in the light of a police, as it was paid out of the Consolidated Fund, and formed one of the finest body of men the country ever possessed, amounting in number to from 10,000 to 12,000. They were told by the noble Lord that there was a deficiency of 3,346,500*l.*, and he proposed to meet the excess of expenditure by increasing the income-tax to 5 per cent for two years. But did any one for a moment think that if they had this 5 per cent put on for two years, it would ever be taken off again during the whole of their natural lives? When the right hon. Gentleman (Sir R. Peel) proposed his income-tax, they were told it was to be only for three years. On that occasion he (Mr. Osborne) followed in the train of the noble Lord, led in some degree by the eloquence and convincing facts which he then employed, and voted against the Income-tax Act at every stage. He regretted, therefore, that the noble Lord should come down now, and tell them with such unblushing candour that he was not ashamed of the vote he gave and the speeches he delivered on that occasion, and then should himself propose that that tax be increased. He thought the right hon. Baronet (Sir R. Peel) was nobly avenged. And as for the party who now sat on the Ministerial side of the House, he did not care how soon they had to change their position to the opposite benches, for they had been better servants to the public when they occupied the Opposition benches than since they had held their present seats. [*Laughter.*] He thought, however, this was no matter for jest. He was much mistaken if they were not on the eve of very gloomy days in this country; and when the noble Lord talked of the valour and the greatness of the people of this country, and then told them of a diminution of 3,300,000*l.* in the revenue, he must have had no common nerve to deliver the speech which they had just heard, proposing an increase of taxation. As to the Caffre war, about which they had heard so much, he was prepared to say that what

had occurred there had been the result of great mismanagement. He pledged himself to show to the country that the noble Lord's Government was not making the efforts which it might easily make to reduce expenditure, and that it was not such an economical Government as the wants of the country demanded. It appeared, however, that there was no Ministry to succeed them, and therefore he supposed they must be content to put up with them; but he was much mistaken if the people of this country long remained in a state of contentment with their present position. The noble Lord referred to what had been done by Lord Chatham with regard to the militia; but he must take a singular view of the sentiments entertained by the people of this country if he thought they were likely to be influenced by what took place in the days of Lord Chatham. He called upon the noble Lord to pause before he came down to the House with the items he had referred to for increasing our forces. Whether as regarded the Army or Navy, he would vote against any increase of taxation. He thought that ill-omened force in Portugal had served no other purpose than to keep the Queen of Portugal on the throne; but the noble Lord was in Switzerland endeavouring to make some reparation for the injurious course he had taken in Portugal.

The MARQUESS of GRANBY thought few of those hon. Gentlemen who supported the measures of 1842 and 1846 could have expected such a free-trade budget as the present. He was aware that the noble Lord had accounted for the deficiency in the revenue of nearly 3,000,000*l.* by the panic which had existed in the country, and the want or unsteadiness of employment in the manufacturing districts. But he was sorry to think that the noble Lord did not take precautions at least for the future, because, when his hon. Friend and Colleague, last night, brought forward a Motion for the purpose of preventing any future panic of the same sort, it was opposed by the noble Lord. He certainly thought, that when the noble Lord said that this deficiency was owing to circumstances which were merely temporary and accidental, he would have given some proof—given the House some confidence—that he really believed it to be owing to accidental circumstances. But in the estimates for the ensuing year, he observed that there was no calculation of any increase upon the Customs and Excise revenue over the preceding year; but, on the contrary, instead of making it 20,000,000*l.* it was made 19,000,000*l.*; and so throughout all the estimates. It was true that, in the latter part of his speech, the noble Lord had said that he had not made allowance for the increased prosperity, which he, nevertheless, did expect; because he thought that some time must elapse before the country would recover from the shock which it had received. Now, that was all very well to get a cheer from the House; but it did not at all appear to be the conviction of the noble Lord that there would be any such elasticity in our commercial affairs. The noble Lord proposed an increased income-tax for two years, and to continue the present income-tax for five years. Surely that exhibited no very great confidence in the free-trade measures which they had passed in the years 1842 and 1843. It was, however, perhaps too much to expect that the noble Lord should have turned round at once, and come to a juster and sounder policy—a policy which the experience of ages recommended. He did hope that the noble Lord might have felt some little doubt, some little apprehension, that these measures had in part contributed to the distress and difficulty in which the country was involved. He thought it would have been better for his case certainly, if the noble Lord had not referred to the taxes which had been taken off in former years, as enabling the poorer classes to enjoy an increased consumption of articles of comfort and necessity, because that argument was contradicted by the assertion of the noble Lord at the beginning of his speech as to the number of mills which had been stopped, and the number of poor people who had been thrown out of employment. He did not wish to detain the House by entering upon that question; but much as he regretted that part of the speech of the noble Lord, he had derived great gratification from that other part in which he had declared, in his manly manner, that he was determined to maintain the independence and honour of this country; and, with regard to any addition of force, he certainly agreed with the noble Lord, that the best way of securing peace was to be prepared for war. He would not then attempt to enter into any examination of the estimates. He rejoiced to hear the noble Lord express that patriotic sentiment; but, at the same time, the noble Lord must remember that he gave the House to

understand that there was, he would not say a prospect of war, but they could not always rely upon maintaining peace; and he certainly did regret that, in time of peace, the noble Lord should have found it necessary to propose an increase of a tax which all parties concurred in thinking should be reserved for the ultimate resort of war.

Sir B. HALL entirely agreed with the noble Lord who had just sat down in what he had said with respect to the noble Lord's (Lord J. Russell's) observation, that he was prepared to maintain the independence of the country. He agreed with him most entirely in that sentiment; but he thought, looking at the position in which they now stood, that they could well afford to let matters remain as they were. He did not see that there was anything to apprehend from foreign invasion, nor did he hear any threats of invasion. He thought when they looked at the condition of the people, and the amount of pauperism which existed, not in the metropolis only, but all throughout the kingdom, that this was not the time for enlarging the expenditure of the country and increasing taxation. The noble Lord did not offer to reduce one single tax, except a miserable one on copper ore, which few persons cared about—a tax that might affect a few individuals, but not the large portion of the people, and, therefore, one that ought to have been the last to be repealed. But one of the worst features of the noble Lord's proposition was, the increase of the income-tax for two years, at the end of which period an opportunity would no doubt be given for the Government to come down and propose another increase. Indeed, it would be better if the noble Lord would at once state fairly that this increase was to last, not for two years, but for the whole five. The noble Lord voted against the proposal of the income-tax on every division that took place; and he was certainly surprised when he heard the noble Lord propose an increase of that tax. But what surprised him still more was, that the income-tax was to continue in precisely the same state as it was now. One great cause of the unpopularity of the tax was the unfair way in which it was levied; and, therefore, the proposal to continue it on the same footing as at present would cause the greatest dissatisfaction. If the noble Lord found it necessary to continue the income-tax, why did he not bring forward an equitable measure by which the tax should have been more justly levied, so that persons who lived by their labour and their wits, if he might use the expression, and those engaged in professional avocations, should not be called upon to pay in the same proportion as the large landed proprietors? When this proposed increase was submitted to the House, he would give it the same opposition as before. The noble Lord had stated that he thought it just that the income-tax should be extended to the sister country. He need scarcely say that whenever the noble Lord thought it right to bring forward a measure for extending it to the sister country, he would have great pleasure in supporting it.

Mr. ROBINSON considered the noble Lord's statement as amounting to an acknowledgment that there was no hope whatever of any reduction in future of the national expenditure, and that the country must be prepared to bear additional taxation for the purpose of making up the deficiency. It was impossible to conceive a more humiliating or unsatisfactory state of things after thirty years of peace. It was true, indeed, as stated by the noble Lord, that there had been a large remission of taxes during that time; but had not the condition of the people retrograded? Those reductions had done nothing for the people; their employment had been taken away, and their wages had been diminished. Their condition, taking them in the mass, was worse now than it had ever been known to be. The noble Lord very adroitly said, in the beginning of his speech, that he did not think it necessary to go into the causes which had produced the present state of things. But the House did not want to know from the noble Lord that there was a deficiency of 2,500,000*l*. They knew that already. What they wanted to know was, why such a state of matters should arise after the predictions which had been made over and over again by Members whose opinions possessed authority with that House, that the country would continue to flourish—that its manufactures would prosper—that wherever difficulties were felt they would be of a temporary nature—and that the national resources would recover their elasticity. Whatever might be the bias of hon. Gentleman, would any one deny that the country had cause to complain, when, after such predictions, it was found to be in its present condition? He should not try the patience of the House by reading extracts to show what had been said by the

right hon. Member for the University of Cambridge when the right hon. Gentleman last held office as Chancellor of the Exchequer, or by the right hon. Member for Tamworth (Sir R. Peel), or by successive Ministers. But were he to show how those predictions of prosperity had been falsified—how the people had been deluded—how their best interests had been betrayed by holding out delusive promises of such prosperity — the tale, however instructive, would encroach too much on the time of the House. The noble Lord the Member for London concluded his speech as all similar speeches were concluded. He stated, that he did not deny the deficiency — that he did not pretend to say the condition of the people was not deplorable — nay, he even offered statistical statements, showing that in one great manufacturing town 7,000 or 8,000 people were out of employment; he would conceal nothing, and the speech had justly been described as a candid speech. But still there was an attempt to persuade the House that, notwithstanding all the difficulties which were admitted to exist, they might reasonably look for returning prosperity and improved commerce. He might be wrong; but he felt it impossible, in the face of every-day experience, to avoid coming to the conclusion that many of their difficulties had arisen from the removal of the protection formerly given to the industry of the country. He did not mean to deny that many of the commercial reforms which had taken place were called for by the circumstances of the times, and were of a nature calculated to benefit the country. But that a country which was saddled with 800,000,000*l.* of debt, and had to support public establishments so enormously expensive as ours necessarily were, involving charges to the amount of 50,000,000*l.* or 60,000,000*l.*, not to speak of additional burdens in the shape of local taxation—that a country, with an estimate such as the noble Lord had given that evening, accompanied by an intimation that instead of a decrease we must look for an increase of expenditure and taxation—could without protection successfully compete with other nations: a more insane idea had never entered the head of a human being. He should be prepared on a future occasion to state his reasons at greater length, and would for the present confine himself to one or two points only in corroboration of his opinion that, so far from measures of free trade leading to any increase of their foreign commerce, the very reverse was the case. From Parliamentary returns he found—though they had so often been told, "You have but to encourage foreign imports and your manufacturers will flourish"—that there was a falling-off in their cotton manufactures to the extent of upwards of a million, and in their woollen manufactures to the extent of two millions. Did hon. Gentlemen suppose that foreign countries would submit to be supplied by this country with articles which they could provide for themselves? He was surprised that any man of common sense should think so after the efforts made by foreign countries within the last thirty years. He warned the Government against such sacrifices as they were making day after day of their home and colonial interests — of the interests of their Eastern possessions—and all in the vain pursuit of foreign commerce. He did not deny that foreign commerce was essential to this country. They must have a large proportion of the commerce of the world, because they were the largest importers. No nation, without incurring the risk of being itself excluded, could exclude British productions, which were more valuable to others than those of others were to this country. Were he to ask the Government to recur to the old system he should only expose himself to ridicule; but he must again express his conviction, that if the Government exposed the labouring classes to foreign competition, they would go on pauperising the country, create discontent, and find the income derived from indirect sources diminishing year by year. With regard to the exemption of Ireland from the income-tax, there were reasons why that country should not be overburdened with taxation. It was desirable to improve its condition and encourage residence. Fifteen years ago he had advocated an income and property-tax; and had that measure been then adopted, matters would now have been in a better state. He had predicted that they would be driven to it at last. But what justice, he would ask, was there in taxing a man in England whose income amounted only to 150*l.* or 200*l.* a year, while a man possessing 20,000*l.* a year in Ireland was exempted altogether from the income-tax, as well as the assessed taxes? To revert to the subject of foreign competition. He had received a letter from a correspondent in one of the Southern States of America, stating that not only were the Northern States

maintaining their manufactures, but in Georgia, where the raw material was grown, cotton mills had been lately established, which made 10,000 bales of cotton goods per week. Looking also to what had been done in Prussia and other parts of Germany, the only chance this country had of overcoming its difficulties and maintaining its high position was to protect the interests of the Queen's subjects—to protect agriculture to a certain extent, their colonial interests, and their shipping interest. If employment were afforded to the industry of the people, they would support themselves instead of being supported as paupers by the State. He did not, however, expect to make any impression on the Government or the House. Since the right hon. Member for Tamworth had abandoned his former opinions on commercial matters and adopted free-trade principles, and since the noble Lord held the same views in common with a large majority of the House, there was no probability that they would now depart from the policy on which they had so inauspiciously entered.

Colonel SIBTHORP was not surprised, however much pain he might feel, at the proposition of the noble Lord the Member for London. For the last twenty years he had never been surprised at any hypocrisy, duplicity, or tergiversation from the Treasury Bench, especially on the part of those who were considered leaders. After repeated expressions of attachment to the Church and constitution, he had found those very persons who made the loudest professions were the first to suggest measures subversive of both. The very men who, when out of office, were distinguished for their advocacy of certain measures of financial policy, when in the possession of place and power would turn their backs on these same measures. What was the language of the noble Lord respecting an income-tax in 1842? The noble Lord on that occasion, when the income-tax was proposed by his predecessor in office, declared that if imposed at all it ought to be imposed equally on the whole country; and yet the noble Lord himself now proposed to continue the exemption of Ireland. The noble Lord also said, on the same occasion, that it was a tax which should only be had recourse to in cases of great emergency, and when no other taxes could be called into operation; and yet the noble Lord had himself proposed this tax to-night without either of these grounds of justification. To be sure, they were consoled with the intimation that the proposed increase was to last for only two years. "Catch a weasel asleep!" he would say. He did not believe in any such promises, and he was determined to resist by every legitimate means the imposition of this odious and delusive mode of taxation. The Government who proposed this tax called themselves Liberals. Liberals! There never was such a misnomer in the would. They were horrible oppressors. He observed the Chancellor of the Exchequer smiling. His right hon. Friend might be very liberal and hospitable out of doors; but he was certainly not remarkable for his liberality in that House. It was recorded of Mr. Pitt, that in the last hours of his life he exclaimed, "Oh! my country." The most natural exclamation for the Members of the present Government, however, was, "Oh! my place; oh! my pocket." [*Cries of* "Question, question!"] He begged to tell the hon. Member who was so impatient to put him down, that he (Colonel Sibthorp) was no toadeater—that he was bound to no Minister—that he had no compliments to offer the Government in the hope of receiving a place from them, as perhaps the hon. Member had—that he was an independent Member, and although not a Liberal, felt as much for the people as any one in that House. What opinion could be formed of a Minister who could not rescue the country from its difficulties except by resorting to that very measure which he had formerly condemned? The fact was, the Government was quite incompetent, and did not know how to carry on the business of the empire. With regard to the proposed increase in the Army and Navy, he thought they could not do better than strengthen both services, not with a view to war so much as the maintenance of peace, for people were always unwilling to attack a country which was in a proper state of defence; but he was sorry there was not more reliance placed on the militia—a body whom the Duke of Wellington had praised, and whom he (Colonel Sibthorp) believed to be capable of standing the inspection of any general in the service after a month's drill.

Mr. F. T. BARING would not have risen to address the House, but would willingly have postponed any remarks he had to make to a future occasion; but that the reference made to him by the noble Lord in the course of his speech, made it necessary for him to say a very few words. He had heard, as he believed every hon. Gen-

tleman had heard, with considerable pain, the statement his noble Friend had made to the House; and this feeling was not on account of the mode in which his noble Friend made that statement, for that, like everything he did, was done clearly and in a manly tone. But he could not but regret that, under circumstances such as the present, and in a time of such severe distress, his noble Friend was obliged to state to the House that a considerable deficiency existed in the revenue—that he felt it his duty to increase the estimates, and was obliged to signify that in consequence the country would have to endure at the present moment an addition to its taxation. As he understood the statement, a great part of the deficiency arose from the arrears of the current and former years. His noble Friend had also stated he would feel it his duty to add to the establishments for the defence of the country. For his part, he should not be found one of those who thought they could entirely rely on the good feeling of foreign countries, or that they should not place themselves in a state of adequate defence. He should, therefore, be prepared to give his noble Friend his support for that which he should prove to be necessary for the security, safety, and defence of the country; but while he did so, his noble Friend must permit him to state that he should feel it his duty, and he trusted the House would feel it their duty also, to look gravely into the amount of expenditure proposed, in order that they should have a little more reference to economy than had been practised in former years; that the Legislature would ascertain the sums to be expended, and to a certain extent, at least, investigate the mode in which it was proposed to appropriate them. He should adopt that course, however, with every friendly feeling towards his noble Friend, and with the firmest confidence that in whatever he or his right hon. Friend (the Chancellor of the Exchequer) proposed, they would act with the very best motives. He would now turn to the mode in which his noble Friend proposed to meet the deficiency. As he already stated, this deficiency appeared partly to arise not from any increased expenditure in this year, but for that which already existed; and the fact that their income, as it stood at present, was not equal to meet their expenditure as it stood during the last year, and as it would stand, supposing it were continued at the same rate, for the future. There was, he understood, an actual deficiency of 2,500,000*l*. Now, he was prepared to approve of the course proposed by his noble Friend, of meeting that deficiency in a direct way, either by reducing the expenditure, or increasing the taxation. It was pardonable last year, under the remarkable circumstances of the case, to meet their difficulties by a loan; but he should not be a party again to any such plan, or to the continuance of a permanent deficiency; and he approved of the course proposed by his noble Friend of making the income meet the expenditure. With respect to the rest of his noble Friend's proposal, he regretted he could not concur with his noble Friend. As his noble Friend had introduced his name in his observations on the income-tax, he was obliged to explain what had taken place with respect to his own conduct. It was quite true that he had opposed the income-tax at its first introduction, but not on its reimposition in 1845. When it was proposed in 1842, the right hon. Baronet the Member for Tamworth said he thought it might last for five years, but that he would only take it for three years at first. He had then opposed it. At the end of the third year the tax was proposed to be continued; and he stated, in the course of the discussion, not being present when the Motion was made, that though he retained all his objections to it, yet, when there was a deficiency of the revenue to meet, he was not prepared, on account of its continuance for two years merely, to throw any difficulty in the way of carrying an income-tax, seeing that it had already continued for three years previously. In the same sense, if, with this deficient revenue, his noble Friend had come down to the House, and had proposed to continue the income-tax as it now stood, without any addition, he, for one, should have found it difficult to throw any obstacle in his way, or to have given any opposition to the continuation of the tax; for, bad as that tax was, much as he had already deprecated it, there was one thing still worse, and that was a revenue permanently deficient. But his noble Friend asked him for something further; not content with the income-tax as it stood at present, he asked the House to raise the tax from 3 per cent to 5 per cent, for if they gave him the increased tax, it was almost a joke to talk to the House of only two years additional. The truth was, that, the 3 per cent already existing, would be permanent; and that their 5 per cent, in all probability,

they would never get rid of. He could not all concur with the noble Lord in making the income-tax a part of the permanent taxation of the country, nor could he give his support to the additional tax of 2 per cent. He had on a former occasion opposed the income-tax, without any reference to the financial proposal he had made, but as a tax which in itself was bad. There seemed to be a great war preparation. At a time when they talked of preparing their defences, he deeply regretted that they should be throwing away that which was the most powerful financial weapon in their whole armoury in the case of a war. If they now laid on a tax of 5 per cent, in case of a war to what source of taxation would they turn? Did they think they could raise the income tax above 5 per cent; or were they prepared, at a time when they should be in difficulty and distress, to have recourse to the taxes on customs and excise, which they had so lavishly thrown away. He had opposed the income-tax at its first introduction, because he thought it a dangerous course to accumulate on direct taxation any very large amount of taxation. He thought this course placed their financial system on an insecure basis. In the present moment this course might be popular in certain quarters, but the opinion of the public was beginning to change. The time was not far distant when, after they had raised their 5 per cent a little higher here, and had sent it over to Ireland, they would find a considerable feeling against the tax; and he doubted very much whether they would not find their income-tax sink from under their feet altogether. For his part, he was quite prepared to abolish protection, but not to abandon the customs duties as a means of raising the revenue. There was another ground, which had been touched upon by one hon. Gentleman that night, which weighed upon his mind with respect to the proposal of his noble Friend. It might be very well in times of great difficulty, or in time of war, to do that under the pressing necessity of the circumstances which they were prepared to justify solely on the grounds of such necessity. When, then, they proposed for two or three years to lay on an income-tax, in time of war they might not be very nice in seeing that the tax pressed equally on all classes; but when they came to raise an income-tax of 5 per cent, and make it part of the permanent system of taxation, he thought they were bound to make it a more equable and fair tax than it was at present. He alluded to the different manner in which the tax pressed upon incomes derived from property, and from those which depended on the exertions of individuals in professions and trades. He did not think this tax, as it was at present imposed, could long stand the test of fair reasoning. He thought when in times of distress they raised it to 5 per cent, a strong feeling would arise against it which they would not be able to meet. One of the great difficulties he found in the imposition of the tax was in the difficulty of regulating it. He hardly knew how they could make that alteration which in justice he thought ought to be made, and, at all events, was satisfied there was the greatest difficulty in making it. One of the very greatest objections he felt to the tax was, the inherent obstacles it presented to making such an arrangement that it would press with equal fairness on all classes of the community. He would not further detain the House upon that occasion, as he had already proceeded further than he intended; but he had thought it right at the outset to make these few observations in consequence of the allusion made to him by his noble Friend.

Mr. DISRAELI: Although the right hon. Gentleman tells us he has proceeded rather further than he intended, I am sure I, for one, feel that he did not proceed further than I wished. A wiser speech—a more practical speech—one more justifying—coming, too, from a very high authority—the observations that have been made by Gentlemen on this side of the House upon a question of great economical interest—I have never listened to. I ought perhaps to apologise to the House for adding to what is only a desultory discussion; but I could not deny myself the gratification of congratulating my Friends around me, that the right hon. Gentleman, not only a great authority, but one who has had great practical experience in the finances of the country, should have felt it his duty to draw a moral from the present state of our finances, and upon this night—not a night of elaborate debate—should have favoured, and, I think I may say instructed, the country upon that important subject. Where are we now? In 1841 there was a deficit in round numbers of 3,000,000*l.*—a deficit which destroyed the Government of noble Lords and right hon. Gentleman opposite. I hope they do not suppose for a moment that I wish the

present deficit should be ominous of the fate of the present Ministry. Far from it. May they contend, and contend successfully, with the almost insuperable difficulties they have to encounter! At least, they have not one great difficulty which they had on that occasion—an Opposition ready to take the government of the country on one set of principles, and attempt to extricate it from its difficulties by another. That peculiar process succeeded then; and the deficit disappeared; a tax was laid upon income and property, which was estimated to produce rather more than 3,000,000*l.* sterling—a sum quite sufficient to make that deficit disappear. It produced a sum nearly double. The sum levied by that tax has also disappeared; and after having made that great sacrifice, seven years have elapsed, 5,000,000*l.*, and more than 5,000,000*l.* annually levied by direct taxation have been expended, and you find yourselves in the same situation—about to encounter the same difficulty. Is there no moral to be drawn from this result? Just opinions upon public policy can only be formed by large and comprehensive views. We no longer float in an atmosphere of theory; but we have the test of truth to guide us—we have a large term of years to throw light upon the subject—we have the experience of seven years; and I say, the experience of that term of years is condemnatory of your new system. Look at your position. You rid yourself of a deficiency of 3,000,000*l.* by recourse to direct taxation; but when you first had recourse to this extraordinary step it was held out to you that there was to be a simultaneous relaxation of your then commercial system, which would, before the time elapsed for which you had agreed to pay this income and property-tax, produce a source of treasure which should relieve you from all your difficulty. Where is it? I want to know. I have asked before, where are the profits we were to receive upon the abrogation of the single duty upon corn and provisions imported into this country? I want to know where is the 100,000,000*l.* per annum which a late Secretary of the Board of Trade informed this House before the Committee on the Import Duties we should receive by the abrogation of the duty on corn—that important evidence which was afterwards announced to us by the then Chief Minister of the Crown to be the basis of his legislation. The original lease of the income-tax expired—it was renewed—that lease is to be renewed again, with what I may call an incumbrance of a great fine in addition. A deficit exists, absolutely amplified in its enormous and monstrous dimensions, and no portion of the golden shower—no part even of that miserable profit of 25,000,000*l.* a year has accrued, which was promised us by the hon. Member for Bolton—a Gentleman for whom I have all due respect, but who, not having occupied the important and responsible position of the hon. Member for Glasgow, I will not unnecessarily refer to. Not 1*s.* in the pound has been paid to us, although we are called upon to pay that amount out of our savings—every one of us—in order to maintain not only the credit of the country, but—it comes to this—the independence of the country, in consequence of your economical freaks. This new principle of commercial legislation has not brought to our Treasury all those advantages which, like the picture of some Arabian tale, we were taught to believe was to be the happy appanage of the people of England; but is this 5 per cent tax upon our income which comes to destroy the magnificent destiny which we were told awaited us—all we shall have to incur? On the contrary, a great authority—a man of experience—a friend of the Government—does not flatter himself, to use his own words, that we can stop here. He says, we must look not only on the income-tax, but an increased income-tax, as a permanent part of our system. Is it to be supposed for a moment that the House or the country can any longer be blind or deaf to such results and such intelligence? They cannot forget that in 1842 they were called upon to make a temporary sacrifice, in order to vindicate the credit, and, I suppose, maintain the independence, of the country; whilst they were promised at the same time, as the reward of their patriotism, their prescience, their sacrifice, that they should reap a speedy and immense harvest. What is the dismal and dreary consequence? That seven years having elapsed, you not only find yourselves after the sacrifice you have made in the same identical position of swimming against the tide with the same deficit about your neck; but that you are assured by the highest authority that it is only part of the system of incumbrances which awaits you, and that you cannot stop there. Then I want to know, when the right hon. Gentleman the Member for Portsmouth talks

of the principle of the income-tax, for the satisfaction of our constituents — what is the principle of the income-tax? There is a remarkable circumstance connected with this tax, that there is one reason given for its infliction in this House, and another out of it. The Minister who introduced this tax, in a speech of accomplished plausibility, which, unfortunately for the country, induced the House to allow it to be carried, talked of great temporary sacrifices for great national purposes. Yet scarcely was his Administration terminated, than a letter from the same Minister appeared, containing reasons for that tax totally discordant, totally different, and to this moment unexplained, and, as I believe, inexplicable. Is it true, as we were then told, that it was a temporary remedy for a particular and fleeting grievance—or was it to introduce, as announced to the foreign inhabitants of a distant northern town, a new principle in the taxation of this country, with the view to bring about a more just assessment of public burdens? After all that has passed —after the original proposition of this tax —after its renewal—after the extraordinary manœuvre of the Government to-night, inflicting upon us nearly a double amount of taxation, while holding out a faint promise of its reduction by one-half in two years, I say we have a right—nay, it is not a question of right, for it is our duty—to ask from all the public men who were concerned in these peculiar and mysterious transactions some definite explanation. I ask any Gentleman, is he sanguine enough at this moment to believe that this income-tax of 5 per cent will terminate at the end of the two years? I ask that. I can only say, if there be any Gentleman, or if there be a majority of this House, who believe in that probability, then this is an assembly composed of, I will not say more gullible materials, for that perhaps would not be a decorous expression, but an assembly to whose sympathies a Minister may appeal with more confidence than any that ever existed. Remembering the circumstances attending the introduction of this tax—remembering that it was proposed, not for five years, as mentioned by the right hon. Member for Portsmouth, but for three years—remembering the distinct representation upon which you consented to the imposition of this tax —I ask you is it more likely that the noble Lord will be more able to redeem his promise at the end of the two years, than, some time back, was the right hon. Gentleman the late Chief Minister of the Crown at the end of three years? I will not say it would have been more becoming in the noble Lord to be more definite and explicit as to the result which we must ultimately encounter; but it is our duty, in a discussion upon such a subject, to probe to the bottom the financial conscience of a Minister. Do not let us experience a second time the same mortifying disappointment. Do not let us listen again to the honeyed words that in 1842 told us that this was but a temporary tax, laid on to meet an exigency; and then, after the lapse of a few years, encounter the mortification of discovering that the Prime Minister has corresponded with foreigners, and revealed to them the secret which he would not condescend to communicate to the House of Commons. The noble Lord has told us that he only proposes to levy this additional impost for two years. What if we consent to his proposition, and then, during the Easter recess, we find a private letter of the noble Lord's—and the noble Lord read a private letter to-night of a Minister, a course I do not complain of, but, perhaps, not a very usual one —suppose, I say, we find a private letter of the noble Lord inserted in some foreign journal, say the *Journal des Débats*, telling M. Guizot that the peace of Europe was now preserved, because he had a permanent income-tax of five per cent, which permitted him to increase his naval and military force, and that he defied France? How extraordinary this would be; but not more surprising than what will start to our remembrance if we recall for a moment the night on which the income-tax was proposed in the last Parliament; if we remember the speech which was then made, the feeling with which that speech was received, the promptness with which all parties responded to the call upon them for a sacrifice, relieved, no doubt, by the idea that at the end of three years there was a good chance of getting rid of this temporary impost; and if we remember the mortification which only a few years after ensued upon finding that, when the Minister was making that representation, he was not stating the motives which really influenced his conduct —that he did not favour the House of Commons with the reflections which had inspired him in his own closet—and that his communication to the representatives of the people was not, in fact, the secret conviction and counsel of his Cabinet—if we remember these things, then I say the

noble Lord has no right to complain of us if we receive his proposition to-night with some degree of suspicion. Nothing personal, of course, is intended to the right hon. Gentleman the Chancellor of the Exchequer, or to any of his Colleagues, if the proposition made to-night by the Government is not received with the feeling with which, under other circumstances, it might have been received. It is sometimes unpleasant to recall the past; and what I am alluding to is somewhat humiliating to the House of Commons; but it ought to be, and it must be remembered, when a Minister makes a representation, upon the faith of which this House is to consent to a great national sacrifice, that a similar representation has been recently made which the event has not justified, and those who were not subjects of his Sovereign, who were not to pay the impost or to endure the sacrifices, were selected to be the recipients of his real motives and intentions. There is one point upon which in a desultory debate like this one can hardly venture to touch, and yet, after all that has occurred, it appears to be one which ought not to be avoided; and that is the part of the statement of the noble Lord which refers not only to financial considerations, but considerations connected with the foreign policy of this country, and the position in which this country is placed with relation to foreign States. I cannot venture to express an opinion; I can only express a hope, although in me that amounts to an opinion, that notwithstanding all that has passed, the peace of Europe is not likely to be disturbed. But the noble Lord has come forward on the present occasion to propose a war vote. The noble Lord having made his proposition, has mentioned four circumstances which, as he thinks, justifies this course. I should be satisfied to support a Minister, under such circumstances, who pledges himself that such a vote is necessary to maintain the independence of the country. But the noble Lord has entered more into detail; he has glanced at four cases which justify the proposition he has made. The first is, that there is that danger of war which always exists, and which, therefore, he did not dwell upon; the next was the case of invasion, of the likelihood of which we have heard a great deal lately, especially from France. I think it is hardly necessary, on the present occasion—for, no doubt, legitimate occasions will arise—to trespass upon the House with any observations upon the state of preparation in this country for such an event. One remark, however, I must make. It appears from the statement of the Government to-night—and that statement appears to have excited a great deal of feeling, and to have created a great deal of surprise among the more distant benches of the supporters of Her Majesty's Ministers—that the armaments of England are by no means in a very sorry plight—that without notice, without criticism, baffling even the vigilance of the hon. Member for Montrose, these armaments have been greatly increased, and, perhaps, even sufficiently increased for every purpose of national defence. An hon. Gentleman near me called out almost in the midst of the peroration of the noble Lord—"What is the date of the increase?" The date of that increase is the year 1835. Why, now look at the egregious delusion of the reformed Parliament and all its consequences! What were you to have immediately following upon reform? What was to be its great boon and its great achievement? Cheap government. The establishments of the country were to be reduced, and those great economical objects for which the hon. Member for Montrose had been unceasingly labouring during a quarter of a century were to be achieved in a moment. Well, you reduced your establishments; your Army was cut down, —your Navy was cut down—you had your election—you got your majority—you enthroned Liberalism in power. But the moment the hubbub was over and the dust had subsided, your tone was changed, and the establishments of the country were instantly increased. And here we are in 1848 contemplating a great reaction in favour of increased defensive means. You have all the armaments of the country in the highest possible state of efficiency; and fifteen years after the reform era, you, the apostles of economy—you, who preached reform—you, who got returned for metropolitan districts by vaunting that you had cut down the estimates—you have the satisfaction of finding, not only that there are more soldiers, more sailors, more artillerymen than when you began your economical labours, but that the country is actually in a state of alarm lest it be not sufficiently protected and defended. So much for your economy; so much for the attempt to produce that which you must have known to be impossible. And when we come to the details, I wish to know what the purely Liberal Members mean to

—whether they mean to confess that the state of affairs in Europe in 1847 was more difficult and dangerous than it was in 1830? I want to know how they will justify their defence of a Government which has given the lie to their whole career. I don't mean the career of the Government, but the whole career of rampant liberalism, which has been all this time playing the critic on the military institutions of this country. Will the answer be, that the time of such criticism is past—that it is no longer to be tolerated that a Gentleman should get up with that perseverance which I, for one, have always admired in the hon. Member for Montrose, modified and mitigated as it ever is with a *naïveté* that is charming—that that time is past, and that it is no longer necessary to criticise the muster-roll of a regiment, the manning of a ship, or the expenditure of a station? All that is passed. New ideas are afloat, and we are told that no defences are at all necessary—that a new principle is in action—a new era has arrived—that armaments are no longer required, ships no longer necessary—and that English regiments have become as obsolete as Roman legions. And why? Because a new spirit is introduced into the government of the world, and that the millennium, so often anticipated in so many different shapes, has at length arrived. It appears that the great principle of free imports that inflicts 5 per cent income-tax upon us, is also, by way of compensation, to secure to us the blessings of peace. Sir, of the Apostle of this new system, I trust, I am not one to speak with disrespect. I ventured to admire his genius when he was not supported by Prime Ministers. I admired also his courage, but never so much as when he enunciated his new system to those who are his constituents. When he spoke of the idea of a perpetual peace, of his belief of that era having arrived in the history of the world and the annals of human nature which would render all means of national defence unnecessary—when he assumed that, from some extraordinary cause, the power of national passions, like the power of human passion in some person schooled by a course of rigid moral discipline, had suddenly ceased to agitate the heart of man—this idea, astounding, beautiful, perplexing as it was, especially on the occasion of budgets, had not the charm of novelty. In this respect the hon. Gentleman the Member for the West Riding is not so original as he was in the conception of the idea that the true principle of commerce consisted in purchasing in the cheapest market, and selling in the dearest. Sir, this idea of perpetual peace is one that at various intervals has agitated the spirit of man—it has been one not confined to mere enthusiasts—to preachers on their tubs—to lonely eremites in their cells—or dreaming monks in solitary deserts. Before this time it has influenced the minds of men of action, as it has stirred the mind of the hon. Member for the West Riding of Yorkshire—it has been considered in Cabinets—it has influenced public councils—and I need not remind the House what has been the barren result of these beautiful aspirations, because more than a century and a half has elapsed since these opinions first influenced the councils to which I refer; and during that period the world has witnessed the longest and bloodiest wars in its history. A man who had the eloquence of the hon. Member for the West Riding, and who flourished more than a century ago, the Abbé St. Pierre, was the author of a plan for a perpetual peace, and officially attended the Congress at Utrecht. His have been subsequently the views of remarkable men. They, in fact, formed the mind of Rousseau, who rendered them, much later, popular throughout Europe; they were the views which formed the mind and influenced the convictions of Robespierre, who became the president of the French republic. Robespierre was the apostle of perpetual peace; and he was determined, when he obtained power, to put into practice the principles developed in the Congress of Utrecht by the Abbé St. Pierre. It will be observed that there was this remarkable fallacy running through the plan of St. Pierre. St. Pierre looked upon the whole of Europe as a confederation. He said, "It is not for the interest of any Power or human being to go to war. Let every Power therefore disband its army. The reign of Peace will ensue." "But," said St. Pierre, "if any of the Powers does not consent to this system, then it must be incumbent upon the others to enforce these desirable principles, of which I am the great promulgater." Thus the system of St. Pierre assumed war as a necessary element of itself; and the same fallacy, differently modified, is that of the hon. Gentleman. No doubt it is easy to entertain the dogma, looking only to the material interests of nations—of America, France, or England, for example—that

their prosperity would be promoted by peace. No two intelligent men could converse on the subject, and doubt of its being contrary to the interests of those nations to go to war. But war is produced, in ninety-nine cases out of a hundred, not by the Powers which are contented and satisfied, but, exactly as in society we find that the disturbance is created by the individual who does not find himself exactly in the position to which he thinks his talents entitle him, so you find in nations and races that war is produced by the race or the prince who agitates for a position. Take a remarkable case. At this moment liberal Gentlemen refer to it with great delight; and certainly, omitting our own country, of whose position we are hardly impartial judges, there is probably no nation in Europe, whether we look to general civilisation, diffused knowledge, public intelligence, or fame in arms and science, that can be placed superior to Prussia. But only a few years before St. Pierre laid down his principles, Prussia did not exist. But Margraves of Brandenburgh, conscious of great talents and powers, determined, instead of being Margraves, to become Kings of Prussia, and that produced many struggles, and among them a seven years' war. If you reason in favour of universal peace from existing circumstances, you reason from circumstances that are essentially superficial. The hon. Member for the West Riding takes a rosy view of all Continental transactions, and he has reason. His reception on the Continent was, I must say, not only gratifying to himself, but, however different may be our opinions on some subjects, so far at least as I am concerned, was not disagreeable to his fellow-countrymen. I ventured myself to tell him that it was not surprising the Continent should do so much for him, for he seemed to me to have done a great deal for the Continent. But this is the argument of the hon. Member for the West Riding, formed upon commercial data—formed upon those statistics with the artful combination of which he has so often puzzled the Protectionists. He says, "Look at your trade with France. I find that in 1816 or 1817 we exported to that country not more than 200,000*l.* worth of our manufactures, and now we export to the value of 2,500,000*l.* Do you think the people of France will ever go to war with you?" Why, let the hon. Gentleman examine our commercial relations with France in 1787; let him look to the time when Mr. Eden was sent to negotiate a commercial treaty; let him see what was the amount of our exports at that time, with a much less amount of population both in England and France. I am not at all surprised that Mr. Pitt should have indulged in those hopes and expectations to which the noble Lord has referred; but [illegible] were vainly founded—as vainly as are [illegible] hopes and expectations of the hon. Member for the West Riding with regard to our commerce with France. At the time to which I am referring, in 1787, we were on the eve of one of the longest and fiercest struggles that ever occurred between two nations—a struggle of even longer duration than the thirty years' war in Germany. The great desire for commercial intercourse which existed between both countries in 1787, did not then prevent the most terrible war that perhaps ever occurred between two nations. Would such intercourse prevent a war now? I believe that upon a skilful diplomacy, which the hon. Member for the West Riding sneers at, mainly depends the maintenance of peace in Europe; and I believe there never was a time, provided a skilful diplomacy be exercised, when the peace of Europe was more secure than at present. But, taking large and historical views of affairs, who would yield to an argument founded on so flimsy a basis as that which was founded on the increase of the commercial transactions of the two countries since the Peace? I will not ask how is it possible that two great nations should have communicated so long and so little? I will not say it is clear that between these countries there exists some feeling of unappeasable aversion, and that it is impossible to suppose that there ever can be between them an enduring peace. I will not press that point; I do not think it is for a moment to be indulged in. So too when I hear Gentlemen say, "You must look at the particular position of France and England; you must remember the battle of Waterloo, and the feeling it excited on the part of the French people"—I reply that the feelings of the French could not be more exasperated against the English on account of the battle of Waterloo, than were the feelings of the English against the French nation in 1787 because we had been robbed of our richest colonies in consequence of French interference. The hon. Member for the West Riding has told us, that it is not merely with reference to the particular instance of the commercial

transactions between France and England that he builds up this philosophy which is to influence all our future conduct, but because the great commercial revolution he has effected has introduced new tendencies into Europe. The only tendency, Sir, which I recognise in the new commercial system of the hon. Gentleman, is the increase of our taxes. I should be extremely glad—no one would be more ready—to welcome results of a very contrary kind; but with our taxation almost doubled to-night—with a promise from the right hon. Member for Portmouth that this is but the beginning of the infliction that hangs over us—the only tendency I can recognise as the result of this new commercial system is that tendency which I believe will soon be recognised by the people of England—the increase of their burdens. I do not understand what this new tendency argument is that has been brought forward by the great chief of the Manchester school. As far as England and France are concerned, he admits that our commercial interchange and relations are lamentably meagre and deficient. So far, then, as this example goes, the tendency is directly opposite to that which the hon. Gentleman seeks to support; but much as I respect that all-conquering commerce that now not only relieves itself from duties but inflicts taxes upon us—prepared as I am to bow down to that omnipotent deity, beneath whose conquering wheels every interest and institution is to fall—I still am not prepared to believe that a commercial tendency is stronger, for instance, than a religious tendency. Now, inasmuch as the people of Europe have professed the same creed for centuries, and the profession of the same creed, the worship of the same God, and the belief in the same Saviour, have not prevented them from having recourse to national defences, I am not prepared to credit that a new commercial principle which, even if successful, is but in its swaddling-clothes, can produce results so marvellous. But the new commercial principle is to produce effects even still more remarkable; because, on the very occasion to which I have referred, when the hon. Member for the West Riding and his friends thought proper to make their first revelations to the people of this country, and when he said that those revelations would be supported in the House of Commons, the commercial principle did not appear to be the only tendency on which he trusted for the triumphant development of his views and the attainment of his purposes. On that occasion the hon. Gentleman made some further revelations to which I think it my duty to allude. The hon. Gentleman on that occasion brought forward some evidence of the folly of supposing that this country could ever be embroiled with France; and he quoted speeches which had been made in the city of Rouen, to show what were the tone and temper of the dominant class in France. The hon. Gentleman quoted, among others, the speech of M. Cremieux, a deputy, who made an extremely flowery oration—a discourse such as some few years ago we heard in Covent Garden. It was a speech worthy of the Anti-Corn-Law League, in the palmy days of its purple rhetoric. The hon. Member for the West Riding, referring to that speech, said, "This is my vindication to the people of England. Read this speech; it settles the question." But what was the end of that speech? M. Cremieux anticipates a millennium—a period of perpetual peace; and what is it? He ends with the words—"Liberty, equality, and fraternity." Why, Sir, that is the Jacobin banner unfurled. What did liberty, equality, and fraternity, terminate in before? Did they terminate in perpetual peace? Is such a speech as this, though quoted by a great authority in England—a speech terminating with this declaration of the principle which is to produce peace, a sufficient argument against national defences? Sir, everybody is for liberty; a good many are for equality; but, as to fraternity, I am bound to say that the only objection I have to it is this—that I have always found that every party and every nation who preach fraternity, are ever prepared to perform the part of elder brothers. This, Sir, was rather an alarming communication to those who, like myself, watch with interest, and often with admiration, the career of the hon. Member for the West Riding. Well, that hon. Gentleman made a speech which he told his auditors he was prepared to make in the House of Commons, and which we shall no doubt hear, not improved, for that is impossible, but supported and enforced. But it was not enough that liberty, equality, and fraternity were to inflict upon us a five per cent income-tax. When the great luminary sinks beneath the ocean,

"The moon takes up the wondrous tale;"

and the hon. Member for Manchester (Mr. Bright) inspired by liberty, inspired by equality, and of course inspired by fraternity, came forward and told the meeting—"This is not enough. This great movement, which is to secure for us perpetual peace, must do more. It must touch the law of landed inheritance; it must remove the anomalies of primogeniture." And certainly if you inflict a 5 per cent income-tax on us and destroy the law regulating landed inheritance in the country at the same time, it may be expected that the deficit of Her Majesty's Government will be considerably increased. It does the hon. Gentlemen the greatest credit that they should have told the House what they really meant. They did not come to this table and ask for a tax that was to be temporary in its operation, but for a tax for a permanent purpose. I reverence the rude sincerity of their conduct; but they may rest assured that liberty, equality, and fraternity, are enough for the first year of agitation. They should have left the law of landed inheritance and the principle of primogenture for a campaign at Covent Garden. The point at which you have now arrived is this—you are called upon for an increase of your imposts. Look at the future which you have to meet. What is this impost? It is, as the late Minister of the Crown told the people, a new, but I believe an unjust principle. You have had a political revolution in this country during the last fifteen years—you have given the franchise to classes, and what have they used it for? To throw the burden of taxation from their shoulders solely to yours. That is the object of their policy; that is the avowed object of all their political proceeding. But in an age so abhorrent of monopolies, let me warn you to take care that you are not the victims of a monopoly of taxation. The budget is the imperfect consequence of the agitation of those principles to which I have referred. The present Ministry will not meet—nor perhaps will any Ministry meet—the real position of this country. There is a party, and an active party, who, as I think, labouring under a great delusion, are, I believe, the sincere advocates of principles which in my mind are totally opposed to the permanent maintenance of this empire. They may stimulate for a moment the commercial importance of the country; but I think even that is very doubtful. We have hitherto seen but slender evidence of such an effect. Of this, however, I am sure—that the principles of the party to which I refer are entirely opposed to the permanence of the empire. I made a distinction the other night between commercial and imperial principles — a distinction hastily expressed, but which I am not at all prepared to recall; and it has been represented that I wished to sneer at the sources of national wealth. No; I do not wish to sneer at them. I wish that the sources of national wealth should continue—that they should not be fleeting; but I am certain that you cannot secure the wealth of nations unless you secure their power. That was the reason I said there was another principle involved in the colonial system besides the mere commercial principle. Well, Sir, so I say to the Gentlemen who hold these new principles, that if those principles even succeed for a moment, of which we have anything but evidence, they are opposed to that great object which the noble Lord to-night called upon us to recollect—the independence of the country. Those who profess these new principles, on the same ground on which they think nothing of a colony if it does not give them a good commercial interchange, may reconcile it to themselves to allow this country to become a province of France, provided France changes her tariff and gives them free trade. But I hope such principles will not be acquiesced in by this House without a struggle to maintain a nobler and a more national spirit. And when we are called upon to discuss the budget of the Ministry on Monday, let us come to the task with a clear mind and with an intelligent spirit. Do not let us be considering whether we can carry this or that point by some chance-medley majority; let us know what we are about; let us understand the new system which is on those benches [*the benches on the Ministerial side below the gangway*] in its strength—I hope not on those [*pointing to the Ministerial benches*] in its feebleness; and while we are ready to do all that is necessary to maintain the independence of the country, let us also be prepared to support its venerated institutions.

Mr. COBDEN then rose and said: I shall be obliged to descend from those regions of imagination into which the hon. Member for Buckinghamshire has soared; and although he has apparently paid me the high compliment of following me with some attention from France to England,

from Manchester to Covent-garden, and thence over the Continent, yet whilst we are in a Committee of Supply, and while the budget is before us, the hon. Gentleman must pardon me when I say that I have not found in his speech much that I think it necessary to refer to on this occasion. I must confess that I did not hear with surprise the disastrous report which has been made to us by the noble Premier with reference to the state of our finances. His budget has been but a counterpart of the balance-sheet of all the industrial interests of the country; but what has surprised me very much has been to find that, unlike individuals who unfortunately have a balance on the wrong side of the account, the Government, instead of making some effort to diminish the expenditure so as to render it equal to the receipts, seems apparently to have only one thought—that of raising the receipts to equal the expenditure. Now, this is precisely the opposite policy to that which is pursued by individual concerns throughout the country. I venture to say that at this moment, in every manufacturing and mercantile concern in the kingdom, the greatest pains are taken, and the utmost care and anxiety are devoted, to the task of making the two ends meet in the balance-sheet; and if they can contrive to keep themselves from a loss in striking the balance, I believe they are very well satisfied. I am not only exceedingly pained at the defalcations of our revenue, but I am, if possible, more pained at the tone in which the noble Premier has alluded to the necessity of an increase in our expenditure with reference to the Army. I must say—and I say it with the greatest regret—that I believe there has not been a speech made by a Prime Minister in this House, since the Peace, so calculated to do mischief as the speech of the noble Lord. Why, Sir, if I, an irresponsible private individual, had alluded in such terms to France in the Free-trade Hall in Manchester, it might have been passed over; but when a noble Lord, holding the position of Prime Minister of this country, draws attention to the state of France, and adduces the preparations of that country for war as a motive for our augmenting our armament, what is it but a menace—an act calculated to irritate and exasperate? I am anxious to give you, the representatives of England, the opportunity of disclaiming any such feeling in the remarks which have fallen from the Premier; but we know we have a sensitive nation to deal with, and I think there could not possibly have been too much reserve exercised by the noble Lord in dealing with a topic of this nature. Now, I ask myself, "What is the occasion of all this? Why have we heard lately of the necessity of an increase of our armaments? What have been the indications of a warlike tendency towards us from France or elsewhere?" We were told in the Speech from the Throne, that Her Majesty had the assurance from all foreign States of sentiments of amity. Now, I wish to ask this question—for it is time that we should come to honest straightforward feeling and speaking—"Does the language of the Sovereign speak the truth?" If so, how can this armament be necessary? Are we justified in arming in this country when we have declared, through our Sovereign, that a feeling of perfect confidence exists that peace will be maintained? Where, then, is our danger? Has France been arming against us? There is no evidence of the kind. I know there have been facts and figures brought forward to show that France has been augmenting her navy. Yes, and when this question comes substantively before the House, as it will do—for if the hon. Member for Montrose (Mr. Hume) had not told me that it was his intention to propose a special Motion on this subject, I would have done it myself, but I bow to him with all deference, and shall be happy at all times to follow him in his career of economy—I will be prepared to show you from the speeches in the French papers that your augmentation of your Navy, has been the standing plea and excuse for the increase of the French force. The noble Lord has himself told us that our Navy costs as near as possible double that of the French. Ought not that to have satisfied us? Who's afraid? Yes, who is afraid of being invaded? Where are the people that have petitioned for your protection? Why, I have the honour to represent the largest and most important constituency of the empire; there is a population probably of a million; and I believe there is not one town in West Yorkshire in which there has not been a public meeting to disclaim all desire of the sort, to disclaim all fear, and to pray that you will not augment your armaments. I represent 36,000 electors, and I challenge any one to contradict me when I say that the vast majority of that important constituency is opposed to this measure of the Government. I mention this with the greater satisfaction, that it

may go forth, and go to France, and to Europe, alongside of the speech and the proposal that have come from the Prime Minister. And at what a time is this proposal made? I should have been sorry at any time to see such a proposal; but at a time such as the present, ought there not to be the most cogent reasons why you should put us to this expense? And what are the reasons? I listened attentively, and I heard not one fact alleged by the noble Lord to call for these armaments. He said, that in 1792 Mr. Pitt had great confidence in peace, and he proposed, I believe, a partial disarmament; but there was war in 1793. It is true; but we were in different circumstances then in England, as they were also in France. I believe that if Mr. Pitt had had the power he would never have gone to war to put down the French revolution. I believe if Mr. Pitt had had then what the noble Lord has now—an intelligent middle class in the kingdom, governing the kingdom—and a more instructed working class, averse to war—he never would have embarked in that war; but he was carried into it by the aristocracy of this kingdom, and the obstinacy of the Monarch wielding the power of the aristocracy for the purpose. But we have the lesson of the war which followed—we have the debt which followed as a bond of peace. And how is it in France? What is the motive now in France for going through such a revolution as in 1793? Why, France has gone through its social revolution, and I know of no motive now why France should seek such a revolution as that of 1793. They have no privileged order; they have no established church; they have no great inequalities of condition; there is a very minute subdivision of property; and I ask what possible motive of the kind can there be in France? Then, I say, these facts, instead of being evidences that we should now arm, are proofs that we are no longer in the same danger. The noble Lord has alluded to our narrow escape in the affair of Mr. Pritchard. Why, I take that as another proof that we are not going to war for any such trifling things in these days. We are told of secret councils in the Foreign Office between our Minister and the Minister of France, and of the great danger of war. Well, I venture to say, that if those two gentlemen had ever come to that point of obstinacy or of recklessness, that they had proposed to involve sixty millions of men, their fellow-subjects, in a bloody war, the result would have been that they would both have been turned out of office. But the noble Lord tells us that we are not arming against a probability, but that it is necessary to arm against an improbability—"that it is sometimes necessary to take precautions against an improbability." Now, I ask, is not that treating the country with some degree of levity and of disrespect? Impoverished as the people are, not only by the burdens of the State, but also by local burdens pressing heavily upon them, is it not too bad to propose to increase our armaments against the expressed wish of the people of our large towns, and to have no better argument for it than that it is desirable to take precautions against an improbability? Let me ask the Gentlemen connected with the war services a question—Is it not possible to make the present amount do? I ask the hon. Member for Sheffield (Mr. Ward), the Secretary to the Admiralty, just to consider the point. He is going, we will say, to get the same amount as he did last year; has he ever thought whether the same amount will not go a great deal further now than it did twelve or eighteen months since? I ask any Gentleman connected with railroads, any Gentleman connected with Birmingham or with any of the iron districts, will not 17,000,000*l.* go a great deal further in the purchase of commodities now than they would last year? But I will not say 17,000,000*l.*, because my hon. Friend will tell me that a vast deal of that sum goes in fixed payments, but I will say 2,000,000*l.* or 3,000,000*l.*, and I state that commodities are 25 per cent cheaper than they were last year; and if he can get the same amount now as he did then, let him make himself comfortable. There are very few of his constituents in Sheffield that will get the same amount as they did last year. I see no reason at all why we should augment our forces, and when the time comes I will oppose its being done; and by not one shilling will I consent to augment the Army, Navy, or Ordnance this year. Now, as to this income-tax that is proposed to be put on. I have no objection to the principle of direct taxation. The hon. Member for Bucks (Mr. Disraeli) has been attacking me for that tax. I want to know what taxes are fairer than property and income-tax? We raise 54,000,000*l.*, and a large proportion of it comes from tea and coffee and sugar; I ask the hon. Member for Bucks, does not

he think that the poor wretches of peasants that have to go and buy threepennyworth of tea or twopennyworth of sugar on a Saturday night, and pay a large per centage upon that little outlay for taxation, find it quite as grievous to them as the property-tax is to the landowners? I do not object to a property-tax. I do not think an income-tax quite so fair; my great objection is its inquisitorial character, from which men of property escape. But when you propose an income and property-tax to spare the Government effecting some little economy in your Excise department and your dockyards and your Government offices, then I object to it. But the hon. Member for Bucks (Mr. Disraeli) will excuse me if I tell him what he has said is rather calculated, unintentionally I am sure, to create a misapprehension in Bucks as to what we have been doing in the progress of our commercial reform. He talks of the great deficit. Yes; it is easy to have a great deficit if you are always voting increased expenses. But who votes those increased expenses? Has the hon. Member for Bucks ever been found voting for economy? Will he now join in resisting this profligate expenditure of the public money? Now, let the hon. Member look well to it. I will engage for it that though he rails at the expenditure, though he denounces the income-tax and abuses the free-traders for it, he will vote for the expenditure. But don't let him charge the free-traders with it. It is not free trade that does it; it is the constant expenditure. Since 1835 you have increased the expenditure by 7,000,000*l.*, and that upon the small item which is variable, and which comprises the charge for the Army and Navy and Ordnance; but who has done that? Why, the hon. Member for Bucks, and those who have acted with him. There would have been no necessity for an income-tax if the expenses had not been augmented; it is your extravagance that causes it. Why, if you had kept the armaments at what they were in 1835, you might now have stood in the same relation to France—for France, as I will prove to you, only armed in self-defence, and because you did; and you might have taken off the duty on tea, or the window-tax, or both together. You might have had relief equal to the whole amount of your poor-rates. You are actually paying in this increased expenditure a sum as large as your poor-rates; it is tantamount to doubling the pauperism of the country. Then I say, cut down your expenditure. Help us. Now, I will give you a reason why you should help us. I will talk to the hon. Protectionists now as men of sense. Give up this idea of forming a party upon protection. You see your leaders drop away; and why do leaders drop away? Because you have really no party, and you have no principle, It is a sham and a fudge. Talk of restoring protection! You might as well think of enthroning the Stuarts again. You might as well talk of restoring the year 1846 to the calendar as of restoring protection. The thing is dead and gone and disposed of. Then what is the next question for you? You cannot indemnify yourselves against a moderate price of corn by coming upon the public purse; that I guarantee—that you shall never have a corn law again, do or say what you will. What then? Why, diminish the expenditure. The hon. Member for Buckingham usually favours the House with a great deal of historical knowledge; and perhaps he will excuse me for calling his attention to an historical fact which occurred not more than thirty years ago. If the hon. Member will take the prices of corn in one hand, and the statements of the public expenditure in the other, he will find that in the years in which the prices of corn were lowest, the Parliament always cut down the expenditure. Let us begin with 1822. After the conclusion of the war, the hon. Member for Montrose was always endeavouring to persuade the House to bring down the establishments to a peace footing; but he could never get the county Members to listen to him until 1822. In that year wheat fell to 44*s.*, a price unheard of for thirty years previously, and then the county Members came up *en masse* to support the economical propositions of the hon. Member for Montrose; they struck off 20,000 men from the services, and effected reductions in expenditure to the extent of 2,800,000*l.* The hon. Member for Montrose, economist as he was, felt a little alarmed at the slashing retrenchments of the country Gentlemen. In 1826 the price of corn was 50 per cent higher, and the establishments were augmented, and the expenditure was carried to the point at which it stood in 1821. Then came that terrible year 1835, when wheat went down to 39*s.* 4*d.* on the average, and immediately the Army, Navy, and Ordnance Estimates were cut down to 11,500,000*l.* Now, you are going to vote 19,000,000*l.* for those

Estimates. I tell the Protectionists that they are going to have moderate prices for corn. During the last twelve months, we have had an exceptional state of things altogether. Everybody knows that the future normal state of the corn market will be one of moderate prices. Bear in mind that when wheat comes to a moderate price it cannot be got up again by any contrivance. There can now be no rebound—no reaction by means of the sliding-scale. The corn laws are repealed. The merchants, manufacturers, and traders are satisfied with the result. Suffering as they are, the manufacturers have not exhibited the slightest symptom of wavering on that point. Do you suppose that the manufacturers of the north and the workmen of the metropolis, when corn comes down to 40*s.*, will listen to the syren notes of the hon. Member for Buckinghamshire, and consent to have the corn laws re-imposed? I can tell the Protectionists that there is not a chance of restoring the corn laws. It is all moonshine to tell the electors of counties about protection. ["Question, question!"] I think I am rather too close to the question. I say, that the only chance for you and your constituencies is to help the free-traders in their endeavours to reduce the expenditure of the country. It will not be possible much longer to amuse the county constituencies with the cry of protection. They begin to perceive that it is a phantom, and for their interest and your own you will be compelled to advocate measures of peaceful economy. I hope, too, that you will induce the Foreign Secretary to hold out the olive branch to the French nation, instead of seeking for the means of irritating it, and keeping it in a constant fever of excitement. If free trade can effect that, it will have done something to carry out the principle about which the hon. Member for Buckinghamshire has so much declaimed. I never said that free trade would bring the millennium. I am not one of the enthusiasts whom the hon. Member compared to St. Pierre. I certainly have said that the interchange of commodities would knit nations together in the bonds of peace; but in that I was only echoing what I conceived to be the best sentiment in the speeches of the right hon. Member for Tamworth, and the noble Lord the Member for the city of London. I never heard those eminent persons speak on the subject of free trade without their descanting on its tendency to unite nations by the ties of mutual interest. Though I am no enthusiast, and do not look for the millennium as a consequence of free trade, I do believe that that system will be the means of closely uniting France and England. We have repealed the corn laws more by accident than anything else; for the spirit of free trade does not pervade this assembly nor the Government. If it did, Ministers would not have introduced into this House the question of war taxation in a spirit which might have been tolerated fifty years ago, but which is totally repugnant to the temper of the present age. Since, however, the corn laws are repealed, whether by accident or otherwise, you will be obliged to economise by the reduction of the Army and other warlike establishments.

The CHANCELLOR OF THE EXCHEQUER: I think it would have been better to have postponed any discussion on the topics introduced in the speech of my noble Friend until Monday week, for we have been led into a debate upon this occasion which has been truly described as being of a very desultory character. It appears to me that the speech of the hon. Member who has just addressed the House, as well as that of the hon. Member for Montrose, must have been prepared under the idea that the Government intended to propose this evening an enormous increase in the amount of our establishments. The phrases "war taxes" and "war budget" must have been devised in the belief that my noble Friend was about to propose an addition of 10,000 men to the Army, 20,000 to the Navy, and God knows what to the Ordnance. Yet what is the fact? The addition to the force is somewhere about 3,000 men, and the increase of charge about 300,000*l.* It surprises me that the hon. Member for Yorkshire should have represented the speech of my noble Friend as calculated to excite any angry feeling in France. My noble Friend distinctly stated that, as far as depended upon us, we were determined to maintain peace with France, and he expressed his desire that we should continue not only on friendly but on the most intimate terms with that country. The hon. Member condemned my noble Friend for having, as he said, referred to the military force of France; but the fact is, that my noble Friend expressly declared that he would not allude to the French army. My noble Friend confined his observations to the French navy, and in that reference he is justified by the general course of pre-

cedent, for the naval estimates have seldom been brought forward in this House without some direct reference being made to the marine of France. I remember that when I represented the Navy Department in this House, the Government was censured for not making that branch of the service more efficient, and the naval force of France was constantly referred to in justification of those remonstrances. The hon. Member must have wonderfully misunderstood what fell from my noble Friend when he could represent him to have said that our naval estimates were twice as great as those of France. My noble Friend said no such thing. On the contrary, he referred to the number of seamen voted for the French navy as being as great as those required for our naval service; and he argued from that circumstance that our naval establishment — taking into consideration the great extent of our trade and colonial possessions beyond those of France—could not be deemed extravagant. The number of seamen voted for the French navy for last year was 29,000; about the number required in our estimates of the present year. As regards men, therefore, the services of the two countries are on a par. An hon. Member opposite read us a lecture upon the disregard of economy during the last few years; but I believe that my predecessors in office will concur with me in stating that the increase of expenditure was not forced on the House by the Government, but on the Government by the House. Whatever increase of expenditure has occurred has taken place with the almost unanimous assent of the representatives of the people of this country. No doubt the events of the last year, and the prospect of increased taxation, may work a change in the tone of feeling in this House; but I hope that hon. Members will not rush from one extreme to the other, and in their anxiety for economy be induced to forget what is due to the honour and interests of the country. I am disposed to deal as fairly and frankly with the House as hon. Gentlemen can wish; and I will hold out no expectations which I think there is no prospect of realising. With regard to the deficiency to which the hon. Member for Portsmouth has alluded, and for which it will be necessary to provide, it includes the expense of the Caffre war, which was caused by events that took place within the colony itself; the cost of that war for the past two years is, in fact, money already gone from the military chest; it includes the excess of expenditure in the Navy for the year 1846. Therefore, to the extent of 1,345,000*l.*, there was a deficiency over which the Government had no control whatever. I have a strong objection to providing for a peace expenditure by a loan. It is true that, to meet the expenses caused by the famine, and under the peculiar circumstances of last year, the emergency was met by a loan; but except under such extraordinary circumstances, I should not be disposed to resort to one. With regard to the income-tax, as it at present stands, it is quite true I have indirectly expressed an opinion that I saw but little prospect of its being taken off; I know it was not imposed as a permanent tax; but when it was voted in 1845, I do not believe any man really believed there was any prospect of its being taken off at the end of the three years. I, for one, voted for it, with a perfect conviction it would not be taken off; and I do not think any one was sanguine enough to hope it. I think it only fair to declare that I do not see much chance of that part of our taxation, amounting to 5,000,000*l.*, being taken off. This applies to the 3 per cent. With respect to the addition of 2 per cent now proposed, for a period of two years only, I will make no promise. I think it very absurd to make promises of what is to be done at a future time, for no one can say what the state of circumstances may then be; and I do not wish to be taunted hereafter with a promise made under other circumstances. The power is left to the House of Commons of deciding on the question of its continuance; but when my hon. Friend (Mr. F. Baring) says there is no chance or probability of this addition being taken off, I think he rather underrates the possible amount of our future revenue, and miscalculates our probable expenditure. Taking the revenue at the end of last financial year, it was 53,789,000*l.*; the ordinary expenditure to be voted for this year, omitting only the provision for past expenditure, would be 53,101,000*l.* Deducting the ordinary expenditure of this year from the ordinary revenue of the last, there will be a surplus of 688,000*l.*; if we deduct from this last amount the expense of the militia and the loss by the remission of the duty on copper ore, there will still be a surplus of 497,000*l.* What I have said shows that the discontinuance of the added duty is quite within the region of pro-

bability. With regard to the prospects of an improvement in the revenue, it ought to be borne in mind, that the effect of such a calamity as a famine on the resources of the country does not end with the cessation of the calamity itself. In the beginning of last year, there was an increasing revenue; that improvement continued up to the end of July: it was not till after that month the revenue began to fall off. Even assuming, therefore, the state of things to be returning towards the prosperity of that year, still we cannot expect that the revenue will improve till some time shall have elapsed after the calamity: even if trade does improve, it will not produce a favourable effect on the revenue at so early a period as to give a large increase of revenue in the next year; at the same time, I think some Gentlemen have taken too gloomy a view of our position. The hon. Member for Poole (Mr. Robinson) has expatiated largely on the extraordinary falling-off in our exports during the past year. I think the hon. Gentleman cannot have seen a paper that has been laid on the table of the House this morning. It gives a comparative statement of the exports of the past year compared with the year preceding; and, with the single exception of cotton goods, for which the high price of cotton is sufficient to account, there is not an item of our export trade on which there has not been an increase. On our linen and woollen goods, in hardware, and on our silk manufactures, there has been an increase during last year compared with the year before. I am quite at a loss to understand how the hon. Gentleman could have spoken of an extraordinary falling-off in our manufactures. I am not aware of any other observation to which it is necessary that I should refer. With regard to all these questions of income and expenditure, they will be much more properly discussed when the estimates come before the House. The Navy and Army Estimates will be submitted to the House in the course of next week, and a fitter occasion will then be afforded for the discussion of those matters. I can only remind the House now, that over the greater part of the expenditure we have no control whatever; and I think that the House will agree with me that we ought not to get over the difficulty in which we find ourselves placed by borrowing. We have no other alternative, therefore, than to propose additional taxation. With regard to the mode in which we propose to raise that taxation, I think it will be better to defer the debate upon it till Monday week, when I think we shall be able to show that the plan which we have proposed will occasion less disturbance and inconvenience to commerce and to agriculture than any other mode of taxation that can be suggested.

Sir R. H. INGLIS had tried on several occasions to catch the Chairman's eye, as he wished to introduce something like novelty into the debate. There was not, with the exception of the Chancellor of the Exchequer, any Member who had addressed the Committee who had given even a qualified assent to the proposition of the noble Lord; and upon that ground he wished, as an independent Member, to state in a very few words the view which he took of the subject under consideration. Passing by the able and effective speech of the hon. Member for Buckinghamshire, he would advert to the speech delivered by the right hon. Member for Portsmouth, who was willing to continue an income-tax of three per cent, though a war tax, but whose prejudices rose strong against it, and compelled him to vote against his friends and successors, when, under pressing necessities, they were obliged to raise it two per cent. But surely, if it was objectionable in point of principle to impose an income-tax in a time of profound peace, an income-tax of five per cent was not more objectionable, as far as principle was concerned, than an income-tax of three per cent. He did not understand, therefore, the distinction made by the right hon. Gentleman the former Chancellor of the Exchequer. Now came the great question of all—Did we want the money? No man had a morbid love for paying the taxes, or anything else, though, perhaps, an honest man might like to pay his butcher's bill; and not even the ingenuity of the hon. Member for Buckinghamshire, or of the Chancellor of the Exchequer, or of any former Chancellor of the Exchequer, could produce money without corresponding taxation. That must be either in the shape of an increased property-tax, or of a tax that had never appeared before. Did any of the Liberals propose to revise old taxes—such as the house-tax? It should be borne in mind, that we had been spared for a longer period in the history of Europe than had ever before occurred, from any approach to war between any of the great European Powers. What right had we to expect that another interval of half that

duration would pass without war? We believed that, through the mercy of God, this country had been saved for centuries from a personal knowledge of the horrors of war. How long it might please Providence so to direct the elements as to baffle the attempts of our enemies at invasion he of course could not foresee. Three centuries ago a storm scattered the invading fleet of the most powerful Sovereign in Europe, and it was on that occasion that our Queen struck the medal bearing this inscription, "*Deus afflavit, et dissipantur.*" On a subsequent occasion a storm also prevented an invasion of this country. Now, it was clear that the army of France was not only immensely larger than our own, but it was continually going through that kind of discipline taught by actual war, which would render it more formidable for the purposes of aggression. Algiers was a school of discipline for the French army; and could our English Minister know that, and not feel it his duty to be prepared to meet the danger? He remembered reading a very able article in the *Morning Chronicle* on the dangers that would accrue on an invasion, and, above all, on the per centage that was demanded as an insurance of the property of the country; and the small amount of that per centage might be judged of from the fact that the property charged for the property-tax was no less than 550,000,000*l.* Believing that there was an utter fallacy in all those principles which assume that commerce would unite that which Christianity had failed to keep together—believing that as long as human passions continued, as long as rapacity on the one hand might be provoked by possession on the other, so long it was the part of civil wisdom to be prepared to resist a possible, though, perhaps, scarcely a probable enemy. He believed that in public as in private life the best security that a nation, as an individual, could possess against attack, was to be prepared for it, even from a professed friend. Under such circumstances he desired to express his general concurrence in the proposition of Her Majesty's Government, though he should take another opportunity of calling their attention to a subject which he had already endeavoured to impress upon their predecessors—to the principle upon which a property-tax ought to be levied, or rather to the point at which it ought to commence. He believed that a large portion of the population were utterly unable to pay the increased tax; and he considered it to be the duty of the Government so to apportion the impost as to make it fall as lightly as possible on the great bulk of the people.

Mr. M. MILNES could not permit the present discussion to close or the evening to pass without expressing his profound regret that the speech of the noble Lord at the head of Her Majesty's Government, and so much of the subsequent debate, should have been taken up rather upon a subject introduced by accidental circumstances as a matter of discussion with the public, than upon one necessarily connected with the actual condition of the country. He profoundly regretted that the possibility of an invasion of this country by France should ever have come before the House of Commons as a subject of discussion; or that any such monstrous position should have occurred to the mind of any sensible man. He was certain, whatever might be the feelings of the Members of that House on the subject, that that, and that alone, was the sentiment of all the intelligent people of England. From all he knew, and all he had heard, of the feelings of the people of France, he believed that so far from any hostile sentiment having entered the mind of a single statesman of that country towards England, even under the influence of any accidental acerbity that might have been excited, all the eminent men of France were inclined to look upon the agitation of the subject in this country rather as a speculation, or, they knew not what, among certain individuals, than as a matter gravely contemplated by the Ministers of the Queen, or seriously entertained by the people. He thought there prevailed a great misapprehension as to the nature and tendency of the speech of the noble Lord at the head of the Treasury. He heard it whispered by hon. Members about him that the speech of the noble Lord was a war speech—that it was a speech of menace to France. Upon him the speech did not make that impression, nor did he think it would have made that impression on others had not their minds been by previous disquisitions rendered more than usually susceptible to any allusions upon that topic. He could quite understand why the noble Lord should think it necessary to make allusions to the forces of other countries when summing up our own; but he believed the noble Lord did so rather as comparing what other nations thought necessary for their defence, with

what he considered proper for ours, than as intending to draw a comparison for any antagonistic purpose. He regretted these allusions the more because there was no necessity for the noble Lord to have said anything upon the subject. The additional sum required was so very small that a less honest Minister might have put it into the estimates, and have slurred it over altogether. There was no reason whatever for believing that there was any likelihood of the peace between this country and France being disturbed; although he saw no great objection to the people of England being made somewhat more accustomed to military training than they were at present. The system prevailed with good effect in Prussia, and he saw no reason why it should be at all injurious to the domestic habits of the people of this country. Some men appeared to think that from the very fact of our having long been at peace we must necessarily come to war. But this long peace had taught the world the value and power of peace, and that it was by peace alone that the liberties of the world could be permanently secured, however necessary it might be under certain circumstances for a nation to be prepared for war.

Mr. BRIGHT said: Even at this late hour I must ask the attention of the House for a short time, partly because I feel strongly on the question before the House, and partly because I represent the population amongst whom the most formidable demonstration against increasing the military expenditure has been made. From the Notice paper, I had concluded that to-night we were to hear a financial statement somewhat of the character of those to which for some years past we have been accustomed—a statement bearing chiefly upon the commercial position of the country; but instead of that, we have had a long speech, for the most part devoted to military topics—a speech that should have come from the noble Lord at the head of Foreign Affairs, or from some one connected with the military department. The hon. Baronet the Member for the University of Oxford has taken a curious course on this occasion, and has displayed a want of faith which one would hardly look for in the representative of the Church. He has given us several cases from English history in which, by the care of Providence this country has been preserved from invasion. I should have thought these instances would have given confidence to the hon. Baronet; but now he will trust Providence no more, as though Providence were no longer able to save us since the discovery of steam, for by steam the French may cross the Channel, although hitherto they have barely succeeded in crossing the Atlantic. I agree with the opinion expressed by my hon. Friend the Member for the West Riding with respect to the speech of the noble Lord at the head of the Government. I believe that speech is calculated to do infinite mischief in France, for, although cautiously worded, it indicates that we are full of jealousy and suspicion of the French people. The noble Lord talks of maintaining the independence of the country; but is there a single individual in this House, or in the country, who imagines that we are in any danger of losing our national independence through foreign aggression? There is, however, a source of national independence which I greatly fear the policy of the Government, as explained to-night, is calculated to destroy. If the people are ground down with taxation—if they are led to believe that this House is careless of economy, and only regards the people in the light of a class from whom it can raise taxes—if a feeling of this kind is awakened, and the confidence of the nation in the Government is lost; if there is ever an invasion, it will be when from these causes there is schism and discontent among ourselves, and when you will not have an united people opposed to any inroad that may threaten you. With respect to the proposal for increased taxes, I feel bound to tell the noble Lord and his Colleague what is the condition of Lancashire. In that county, the most populous, and ordinarily, the most wealthy in the kingdom, the manufacturers and spinners, and, indeed, every class of the people, are suffering from a series of losses altogether unexampled in the history of the cotton trade. In nearly every cotton mill in that county, certainly in the coarser branches of the trade, it is a notorious fact, that during the last twelve months the whole amount of wages paid to the workpeople has been taken from the capital of the employers; and I believe there is scarcely an employer engaged in the staple trade of the county, who has not paid his income-tax upon a loss amounting to more than the assumed profit upon which the income-tax was charged. This, surely, then is not the time when the military expenditure of the country should be increased for the purpose of meeting an imaginary enemy; and this increase of taxes for such a purpose is as unjustifiable as it

will be deemed oppressive. As to the mode of raising this additional taxation, I may remark that I should not oppose direct taxation, if any necessity for an increase were shown. You have long ago reached the limit of indirect taxation; that is admitted on all sides; and you are approaching the limit of direct taxation; and if this constant increase of armaments is to go on, the people will soon have little to choose between being eaten up by the French, and devoured by the military expenditure of their own country. But if the income-tax is to be made a permanent tax—and the Chancellor of the Exchequer has informed us that it is to be permanent — how is it Ministers do not propose to place it on a footing more equitable to all classes of the community? Why is the income from trades and professions to be charged at the same rate as that from realised property? The inequality and the injustice are admitted; and if the tax is to be a permanent one, why is the injustice not remedied? I can tell the Government of a tax to which they might have had recourse with much greater propriety than to an increased income-tax, and that is the imposition of the probate and legacy duties on real property. To collect 2,500,000*l.* sterling from these duties on personal property alone, and to allow landed estates to pass from father to son without paying any tax whatever, is a gross and palpable injustice, and one which it is most discreditable in the Government to overlook. I will give the House an instance where the same property has paid these duties three times within the space of six years. I have known all the parties, and I know the facts. A gentleman died in 1834, leaving property to one of his sons. The son died in 1838, leaving the same property to his mother, who survived him. The mother died in 1840, leaving the same property to her children. This property, then, coming thus circuitously from the father to a son who now holds it, has paid probate and legacy duty no less than three times in the space of six years. No less a sum than 70,000,000*l.* sterling had been drawn from personal property since these duties were imposed, while the landed property of the country has been left entirely untouched. I know what will be said in answer to this, and the hon. Member for Warwickshire has it already upon his lips. It will be said, the land is burdened with expensive stamp duties on transfers. But other property besides land is burdened with heavy stamp duties. Bills of exchange pay more than half a million a year in stamps, and the stamps are heavy upon transfers of railway stock, and of other descriptions of property. There is no pretence whatever for the exemption of land from these duties, for in reality the largest estates in the country are rarely sold, but pass without duties of any kind from one proprietor to his successor. I can assure the Government that the announcement they have made to-night will give great dissatisfaction throughout the country. I said on a former occasion that the Government was a Government of the middle classes, and the hon. Member for Buckinghamshire smiled at the statement; but I am bold to tell him, that if it cease to be a Government in unison with the sentiment of the middle classes, it will soon be no Government at all. The present Administration came into power by no virtues or exertions of their own. They were brought in by a lucky accident, and because at the moment there was nobody else for it. They should recollect that a Government that came in by accident, may be destroyed by blunders. The noble Lord and his Colleagues remind me of the religious order of *La Trappe*, who are said to have employed themselves diligently in digging their own graves; and so mindful were they of their mortality, that when two members of the order met, their greeting was—and I recommend it to the Members of the Government—one of them said, "We must all die;" and the rejoinder was, "I know it." If the Government suppose they can do in 1848, with respect to foreign affairs and warlike armaments, what was done thirty or forty years ago, they commit the most egregious blunder that statesmen were ever guilty of; and I am convinced, from what I know of the public feeling on these subjects, that by the course they are now taking, they are placing themselves in direct opposition to that large party in the country by whom they have hitherto been supported, and without whose confidence they must speedily fall.

Mr. NEWDEGATE thought the Ministry had really much reason to complain of the manner in which they were treated by their own friends on this occasion; but with regard to this increase of taxation, he must concur with many of them in opinion. He regarded the income-tax as vicious in principle, and as injurious to the capital

employed in trade; and he believed that the country was not in such a state as that it could bear an additional taxation. The hon. Member for Buckinghamshire had answered the hon. Member for the West Riding by anticipation. It was with deep regret that he (Mr. Newdegate) saw the consummation of the free-trade policy in a decreased revenue and in the necessity for increased taxation. The anticipations of prosperity held out to the people as a consequence of free trade had been most dreadfully disappointed; and, though the Members of the ultra free-trade school might flatter themselves that they still retained a hold on popular opinion, the time would probably soon arrive when they would be undeceived.

VISCOUNT PALMERSTON: I do not wish to enter into subjects which have been repeatedly discussed. But I should wish to say one word or two, especially on the speeches made by my hon. Friends on this side of the House. It is very natural for young Members, unused to Parliamentary tactics, and who do not feel entirely easy when they come to this House, to let fly speeches which they may have prepared beforehand, though the occasion they expected should not exactly occur. But certainly I did not expect that hon. Gentlemen so accustomed to Parliamentary debate as the hon. Members to whom I allude, should have fallen into that mistake. We are told that my noble Friend has been proposing vast armaments, that he has been making speeches full of warlike sentiments, and that he has been holding language calculated to excite jealousy, and even enmity, on the part of France. As to armaments there are none. If my noble Friend had said that he intended to propose an addition of 20,000 men to the Army, and of 10,000 men to the Navy, I could have understood the language of those who spoke as if they had come down to protest against such a proposition. But to the Army there is no increase. There is a different disposition, a different distribution, of the existing Army. There is no addition whatever to the regular Army. There is none to the Navy. There is a small increase to the marines and to the artillery; but there has been no augmentation such as the House might have imagined, from the sort of denunciations they have heard. I trust, when my hon. Friends reflect, and when they find how very small is the increase contemplated, the alarm they have expressed will subside. I should also wish to defend my noble Friend from the attack which has been made on him in regard to our relations with France. When it is the duty of a Minister of the Crown to propose an addition either to the military or to the naval force of the country, he must assign the grounds on which that addition is required. And the only grounds on which you measure the amount of your naval force must, on the one hand, be the extent of your commerce and the number of distant possessions you have to protect; and, on the other hand, the comparative force other countries possess—other countries with which it is possible you may, in the course of events, be placed in a state of hostility. So far from its affording any cause of offence to France that we should measure our Navy by such a standard, I am sure any one who follows the debates in the French Chambers, when their naval estimates come under discussion, must know that they follow the same course, adopting the natural and only measure in such cases, namely, the naval force which other nations may happen to have at the time. I therefore deny that anything which fell from my noble Friend the First Lord of the Treasury can bear the meaning attempted to be cast upon it. In fact, my noble Friend expressed sentiments in which I concur, and I am confident the House concurs. He expressed in the strongest terms his anxiety and desire that the relations between these two countries should not only be friendly, but should be as intimate as possible. I think there is one thing essential for preserving that friendly relation. It is that we should be on a footing of equality. There is no true or permanent friendship between nations unless they are on a footing of reciprocal independence. The passions by which nations may, from time to time, be animated, are attended with great danger. I consider, therefore, that any Government which proposes to place this country in a state of defence, not against war, but against unexpected surprise, is laying the surest foundation for the maintenance of that peace which we desire to see preserved. I am not one of those who indulge anticipations of war between this country and France. I believe, with the hon. Gentleman, that the principles of free trade will tend to preserve friendly relations between different nations. At the same time, our commercial relations with France are not exactly those which we should desire; but France is not an ex-

porting country of corn, and other circumstances do not afford us the same opportunity of enlarging our commerce with France as with other nations. But I look to the general tendency of men's minds towards peace, and I differ from the hon. Member for the University of Oxford, who thinks that the long duration of peace renders war more probable; I think, on the contrary, that the duration of peace renders its continuance more likely, and will make countries more disposed to settle their differences otherwise than by war; so far, therefore, from thinking that the long duration of peace will hasten war, I am led to infer from it the probability of its continuing, rather than its being curtailed. If there be any two nations in the world who ought more than others to desire to be upon the most intimate terms, they are the English and French nations. Any men at the head of the Governments of those two nations who consider the real interests of both, must see that tho seinterests will be best promoted by relations of friendship and peace between them, and by the prevention of any misunderstandings that might lead to a rupture. I trust that we are fated to see a long continuance of the blessings of peace which we have so long enjoyed; and if anything more than another could render peace precarious, it would be the measure of leaving this country—a country rich and opulent as it is—unprotected, or without adequate means of defence, so as to invite other nations to take advantage of our weakness. I consider, therefore, the measures proposed as not deserving the representations made of them, as extraordinary armaments, whereas armaments they are none. I think that this country, in time of peace, ought to have the means of providing against any unforeseen attack.

Motion agreed to.

House resumed.

SANITARY BILL.

Sir B. HALL inquired of the noble Lord the Chief Commissioner of Woods and Forests, whether his Sanitary Bill would include the metropolis, and if not, whether it was his intention to introduce a Bill for that purpose? Also, what other Bills upon that subject he proposed to introduce, and what their provisions were?

Viscount MORPETH was understood to say, that he had already stated he did not consider the Bill to apply to the metropolis, and it was not his intention at present to introduce a Bill for that purpose.

House adjourned at a quarter to One o'clock.

HOUSE OF LORDS,

Monday, February 21, 1848.

Minutes.] *Took the Oaths.*—Several Lords.

Public Bills.—1ª New Zealand Government.

Petitions Presented. From the Lord Provost and Council of Glasgow for the Repeal of the Bank Charter and Scottish Currency Acts.—From Derby, and several other places for the Imposition of the Severest Penalties on all Roman Catholic Priests who shall Denounce Persons from the Altar.—From Shipowners of Ramsgate and Glasgow, that no Alteration be made in the Navigation Laws until a Select Committee has inquired into their Policy.—From Parish Schoolmasters of Dumbarton, complaining of the Inadequacy of their Remuneration; and for Relief.—From Dublin and the Havant for the Removal of Jewish Disabilities.—From certain Orange Lodges in Ireland against the Diplomatic Relations, Court of Rome, Bill.—From Warrington, for the Enactment of Sanitary Measures.—From Kil Saint Nicholas and Tauregan, complaining of the Insufficient Support afforded to certain Schools in Ireland, and for Relief.—From the Clogheen Board of Guardians, for Alteration of the Irish Poor Law; and for the more Profitable Employment of the Inmates of Workhouses.

DIPLOMATIC RELATIONS, COURT OF ROME, BILL.

The Marquess of LANSDOWNE, in moving that the Report on the Diplomatic Relations, Court of Rome, Bill be received, observed, that it had been understood that no discussion should take place on this stage of the Bill; but he proposed to introduce amendments in the Bill to meet some of the objections which had been urged against it, by defining the object of the measure to be to enable Her Majesty's Government to "establish and maintain diplomatic relations with the Court of Rome," and thus obviating the use of terms "Ambassador," "Minister," &c. He proposed this alteration now, in order that the Bill might be printed with the Amendment, which would afterwards come under their Lordships' consideration.

Amendment made.

POOR LAW (IRELAND).

Earl FITZWILLIAM rose to present a petition from the guardians of Clogheen Poor Law Union in Ireland, praying that the workhouses may be converted into houses of industry, in which employment may be provided for the destitute poor. It appeared from a letter in his possession that the poor in a certain union in Ireland were sustained on the amount of 7*d.* per week per head, or 1*d.* per day; and he believed that the same state of things existed

in other unions. Their Lordships had legislated against crime in Ireland, and, judging from the proceedings under the special commission, it would appear that their legislation for the repression of crime had not been ineffective. But while they punished crime in Ireland, let them not be inattentive to the sufferings of those who were content to receive and subsist upon so small an amount as he had mentioned. Though those persons might be content with it, they could not possibly live on it; and the allowance of 1*d.* per day per person seemed almost killing the population by slow degrees. He wished the Government and the Parliament to consider whether they could go on maintaining the people on so small a pittance. He wished them to consider whether there were not other modes of maintaining those who were cast on the public resources, by means of large public works; and whether the numbers of the people might not be diminished with advantage to themselves by the adoption of some well-regulated system of emigration. As a remedy for the existing evil, the employment of the people by the landed proprietors of Ireland was pointed to; but he was afraid that if the whole burden were cast upon them the task would never be accomplished. The amount of money granted last year by way of loan to the landed proprietors was 1,500,000*l.*; but the sum sanctioned to be advanced by the proper authorities in Ireland did not exceed 1,000,000*l.* for 20,000,000 acres; or, in other words, 1*s.* per acre over the whole extent of Ireland. If Ireland were to be improved by such means, the improvement would not proceed very rapidly. Instead of seeing the people starved upon 1*d.* per day, it was his desire to see them maintained on 1*s.* a day on works beneficial to the country; and he should also like to see established, not a capricious, but a well-regulated system of emigration. In the course of various debates it had been maintained that the income-tax ought to be extended to Ireland. Surely the statement set forth in the petition to which he had referred, if they made anything clear, rendered this most evident, that the poor-rates so severely pressed upon every class in that country that the levy of an income-tax would be wholly out of the question.

The MARQUESS of LANSDOWNE was ready to admit that the poor-law, as it affected Ireland, did require amendment. Unfortunately, owing to the late famine, great expenditure in Ireland for the relief of the poor became unavoidable. It was a severe visitation, and entailed upon the country a burden almost intolerable, but one from which it was impossible to escape in the case of a country in which the population were dependent for subsistence upon the potato. The evils of famine being superadded, to that condition of society, necessarily plunged Ireland into a state of the deepest distress; and even during the last month the Irish poor-rates amounted to 190,000*l.* Evils so deep-rooted and extensive as those which prevailed could not be remedied by any single measure, at the same time that much good might accrue from emigration if prudently and carefully conducted; but all their Lordships must be aware of the difficulties by which emigration was attended. By measures not long in operation a certain number of children were provided for, and, to some extent, a certain number of ablebodied men were kept in employment on the public works; with respect to the latter, it must be obvious that, in the present state of the national resources, public works could not be carried on upon the scale that they had heretofore been maintained. It appeared to him that the most effectual method by which relief could be given to the people of Ireland would be to enlarge the means, or rather to promote the practice of giving them employment derived from the individual proprietors of the soil. It would be much better that the working classes in Ireland, as in other countries, should be under individual rather than under public supervision. Applications had already been made for loans for the purpose of giving employment to the people; those applications amounted to 2,000,000*l.*, and a considerable portion of them had been sanctioned. There was scarcely a county in which works of that description were not now proceeding. With respect to the manner in which Ireland had been divided for the purpose of being assessed to the poor-rates, he was perfectly ready to admit that it had been attended with more or less of inequality. Doubtless some of those evils might be corrected, and even a new division might be established; but it must be obvious to every one that a new division would take up such a length of time that there would be no hope of bringing the poor-law into operation during the present year. The electoral divisions were in the first instance adopted as the best way of meeting the case; at least, the best way which then offered itself. He was far from saying

that such a plan as that was perfect; cases showing its imperfection had arisen, and must often arise; but it was too much to expect that Government should at once be able to apply a perfect remedy. A redistribution of the divisions had certainly been suggested, and the advisers of the Crown had the matter under consideration; they had also the mode of appointing poor-law guardians under consideration; and he felt bound to say that the office seemed so odious, and its duties were so painful, that he apprehended paid guardians must be appointed, though, of course, the law ought to be locally administered; the subject was, however, of much too great importance to be discussed upon the mere presentation of a petition.

Lord CAREW thought it a great objection to the present system, that under it those proprietors who employed a large amount of labour were placed in the same position as those who employed none. He suggested the appointment of stipendiary guardians, to see that the law was properly administered, like stipendiary magistrates, leaving the elected guardians the same powers they possessed at present.

Lord MONTEAGLE heard with satisfaction from the noble Marquess, that the Government was disposed to revise the existing system of electoral divisions; but, as that system was adopted deliberately by Parliament, and again affirmed last year, he thought the revision ought to be effected by an alteration of the law, not by the act of the paid guardians. If these guardians were to be the depositaries of this power, he was convinced it would raise the greatest objections to the appointment of such officers. He wished to see the poor-law fairly tried; but if the Act was to be set aside, and a new system of taxation introduced not contemplated by Parliament, he should use every exertion in his power to resist the appointment of paid guardians. Parliament never intended to give them this discretionary power; if a change were required, let it be done by a Bill that might be regularly discussed. With respect to the employment of the poor in workhouses, he objected to employing adults in unprofitable manufactures; but such work might be given to children as part of their education. He understood there was an intention to send out some of the children from the workhouses of Ireland as colonists; but, unless they had been trained to some useful occupation, he feared they would make very bad colonists. In the Poor Law Act were two clauses, one referring to the employment of children in workhouses, the other to giving them instruction in agriculture. The last subject was of extreme importance; if with the system of education given in the national schools agricultural instruction had been combined, he could not help thinking that there would have been a very great mitigation in the calamities of last year in that country.

On the reappointment of the Committee on Colonisation from Ireland being moved,

Earl GREY said, he would make one remark in reference to an observation made by his noble Friend (Lord Monteagle). He deprecated, as his noble Friend seemed to intimate, any intention of clearing the workhouses of Ireland of their young population for the purpose of colonisation. The colonisation which Her Majesty's Government had in view was intended to be strictly confined to those workhouses in which it should be ascertained that children of fifteen years of age and upwards had been trained up in habits of useful industry. These children would be sent out under proper care, and all due attention should be paid them both on the voyage and on their arrival. There were a great number of children so circumstanced, to whom the change would be for the better in every respect, and attended with immense advantages. It was intended that a portion of the funds now in the hands of the Commissioners should be appropriated to such emigration to South Australia in particular, where the children would be properly taken care of, and where they would, the females especially, be of great benefit to that rising colony, and in all probability turn out most useful colonists.

House adjourned.

HOUSE OF COMMONS,

Monday, February 21, 1848.

Minutes.] Public Bills.—1° Joint Stock Companies. 2° Public Health; Passengers.

Petitions Presented. By Mr. Adair, from Ipswich, for the Adoption of Universal Suffrage.—By several Hon. Members, from various places, for and against the Jewish Disabilities Bill, and against the Roman Catholic Relief Bill.—By Mr. G. Hamilton, from Westmeath, against the Diplomatic Relations with the Court of Rome Bill.—By the Earl of Arundel and Surrey, from several places, against the Roman Catholic Charitable Trusts Bill.—By Sir R. H. Inglis, from several places, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Mr. Loch, from Wick, for Alteration of Law respecting Sites for Churches (Scotland).—By Sir De L. Evans, from Westminster, for Inquiry into the Case of the Rajah of Sattara.—By Viscount Brackley, and other Hon. Members, from several places, for Repeal of Duty on Attor-

neys' Certificates.—By Mr. Clay, from Hull, and Mr. A. Hastie, from Paisley, for Reduction of the Duty on Tea.—By Mr. Deedes, from Faversham, and Mr. Gladstone, from Oxford, for Repeal of the Window Duty.—By Sir E. Buxton, from Cadogan Williams, for Alteration of Law respecting Annuities.—By Mr. Waddington, from Independent Order of Odd Fellows, Manchester Unity, of Waltham Abbey, for Extension of the Benefit Societies Act.—By Viscount Newry and Morne, from Newry, respecting the Bonding of British Spirits.—By Mr. M. J. O'Connell, from Kilmore, for Relief of Distress (Ireland).—By Captain Jones, from Armagh, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Captain Berkeley, from Gloucester, and Mr. Langston, from Oxford, for Sanitary Regulations.—By Mr. M. J. O'Connell, from Kerry, for Alteration of Law of Landlord and Tenant.—By Mr. Cobden, and other Hon. Members, from several places, for Retrenchment of Naval and Military Expenditure.—By Mr. Clay, from Hull Chamber of Commerce, against Repeal of the Navigation Laws.—From Louth, for Alteration of Poor Law (Ireland).—By Mr. G. Hamilton, from Tuam, for Alteration of Poor Law (Ireland) relating to Clerical Incomes.—By Lord E. Bruce, from Poor Law Officers of several Places, for a Superannuation Fund.—By Mr. Hume, from Forfar, for Alteration of Law regulating Prisons (Scotland); and by Mr. Bouverie, from Kilmarnock, for Inquiry concerning the same, and for Consideration of Turnpike Trusts.

SUPPLY—FINANCIAL STATEMENT.

The CHANCELLOR OF THE EXCHEQUER: In rising to move the Order of the Day for the House resolving itself into a Committee of Supply, I think it advisable to state the course which Her Majesty's Ministers consider it fit to pursue with regard to some of the estimates which have been already laid on the table of the House. I find on the Notice-paper a notice given by the hon. Member for Montrose (Mr. Hume) of a Motion for postponing altogether a Committee of Supply on the Navy and Army Estimates, until the House shall have decided on the proposal made by my noble Friend the First Lord of the Treasury on Friday night. To that Motion of the hon. Member it is impossible that Her Majesty's Ministers can accede, for it reverses entirely the constitutional mode of proceeding, which always requires that a Vote of Supply should precede a Committee of Ways and Means. If I were to propose in a Committee of Ways and Means any vote not warranted by a previous vote in a Committee of Supply, you Sir, according to the principle and practice of Parliamentary proceedings, would at once stop the vote. The invariable course of proceeding, first by a vote in Committee of Supply, and afterwards by a vote in Committee of Ways and Means, is fully justified by reason and common sense; because it is the duty of the House in the first place to determine what expenditure is required for the purpose of maintaining all those establishments which are indispensably necessary for upholding the honour and interests of the country. Votes for these purposes are passed in a Committee of Supply Then comes the consideration of the means by which this expenditure is to be provided for; but there is no man, I conceive, who would say, that although in determining how those means are to be provided it is our duty to consider the manner by which it may be done in the least burdensome form to the people, yet that the amount of the vote itself is to be regulated by the productiveness of the taxes from year to year. If, on the one hand, there happened to be a surplus revenue, it would be no justification of an extravagant vote in a Committee of Supply; and so, on the other hand, if occasionally it happened that adverse circumstances should diminish the amount of revenue, we should not on that account be warranted in determining that a just and necessary expenditure should not be maintained. The practice, therefore, always has been, and always must be, in the first instance, to determine what money shall be granted to Her Majesty for the purpose of defraying the necessary expenses of the country; and when that has been determined by the House in a Committee of Supply, it then, and not till then, becomes the duty of the Government to propose to the House to consider in what way the means can be raised in the least objectionable manner to meet the previous Votes of Supply. Therefore the proposal made by my hon. Friend the Member for Montrose, is one which it is impossible for Her Majesty's Government to adopt. On Monday next it will be my duty to state the reason why Her Majesty's Ministers propose that mode of taxation which my noble Friend stated on Friday night. On that subject, therefore, I shall on this occasion make no observation. I am now merely stating the order in which our proceedings must take place; namely, that a Vote of Supply must necessarily precede a Vote of Ways and Means. In determining what the amount of supply ought to be, Her Majesty's Government, after taking into consideration the circumstances of the country, have felt it their duty to propose a sum which is not a very great increase on the estimates of the previous year. There appeared to prevail an impression among some hon. Members on the former evening, and which impression seems to have in some degree operated out of doors, that the increased taxation now proposed, is

solely owing to increased estimates, and that those estimates were entirely of a military and warlike character. It seemed to be the opinion that increased taxation was rendered necessary by some enormous scheme of military defence; in fact, that Her Majesty's Ministers were proposing additional taxation for the purposes of war. Now, I do hope that both this House and the country have since given a little further consideration to what actually fell from my noble Friend on Friday night; and that, having duly attended to the figures stated by my noble Friend, they are now convinced that such an impression is entirely mistaken and unfounded. Referring to the statement made by my noble Friend, it must be obvious to all that the figures stated by him, founded upon estimates sanctioned by the last Parliament, and upon an expenditure over which we had no control, which was past and gone, showed a deficiency of no less than 2,500,000*l.*, which acccording to the usual practice must be provided for out of the taxation for the next year. That, therefore, is a cause, without any increase in the estimates for the present year, why there should be a demand made for further taxation. But, in addition to that, much of the increased expenditure is for purposes of as pacific a nature as it is possible to conceive. Whoever will take the trouble to go over the statement made by my noble Friend, will see that there is a great increase in the Miscellaneous Estimates, arising chiefly from additional expenses consequent on the maintenance of convicts, the burden of which is now thrown upon the general taxation of the country, instead of being, as heretofore, borne by local taxation. This, indeed, is rather a transfer than an increase of charge on the nation. Then there are charges relating to the fittings up of the New Houses of Parliament, and likewise charges connected with the British Museum, and also to an increase of charge for printing and for other purposes of a similar character. Now, surely, these have not the slightest connexion with either the Military or Naval Estimates. But these are not all; there are other expenses which swell the deficiency for the present year, which, although in the Naval Estimates, are not for military purposes. Among these may be mentioned the cost for sending out ships in search of Sir J. Franklin, and the expedition under his care on a voyage of discovery to the North Pole; and also a charge which cannot strictly be considered to be of a military character, but, even if so, was nevertheless sanctioned, or rather, I may say, suggested by this House—I mean, the increased pay given to certain petty officers, and the expenses incurred by giving up the poundage hitherto deducted on paying the pensions of seamen and marines. All these expenses, the House will see, were in no degree for military purposes—not for purposes even of defence, still less of aggression. Another impression, I find, has also gone abroad, that such an increase of force, small as it is, as is now proposed, is only the beginning of a large and permanent increase of our naval and military establishments. How any such impression could be derived from what fell from my noble Friend on Friday last, I am quite at a loss to understand. There was nothing, I think I may venture to say, in the proceedings of the past Government, and there has been nothing, I unhesitatingly affirm, in the conduct of the present Government, that could warrant any such conclusion. Nothing, in my opinion, is more to be deprecated on the part of any Government than to make a great parade of the armaments of the country, or to make any ostentatious preparation for war. What I understood to fall from my noble Friend on a previous occasion was, that he considered nothing more mischievous than the adoption of a course of that kind; because he believed that any misapprehension as to our intentions was more likely than any other course of proceeding, to lead to those evil consequences which Her Majesty's Ministers deprecate above all things. The view which Her Majesty's Government take in respect to any deficiency in the Navy or Army establishments is, that whenever any such deficiency becomes evident the subject should from time to time be brought under the consideration of Parliament. That is the course which has been pursued by all previous Governments. Whenever a deficiency appeared, the matter was brought before Parliament, and the deficiency was duly supplied. What is now proposed to be done is in strict accordance with the course which has hitherto been pursued, of making those additions to our national defences which it is absolutely necessary from time to time to adopt. Of this the House and the people may be well assured, that Her Majesty's Ministers will do nothing which they do not consider to be essentially necessary, and at the same time conducive to the preservation of the peace of this

country and of Europe. Sir, that so much apprehension should have prevailed on this subject, is to me not more a matter of astonishment than regret. There is, I can venture to affirm, no object which Her Majesty's Ministers have so much at heart as the preservation of peace, and that the House of Commons should be satisfied on the necessity for the proposed expenditure for this year. But it must be obvious that many of the explanations which it is desirable to afford, are of such a nature that they cannot very conveniently be made in this House. There are many subjects on which it is not convenient to go into detail in the House of Commons itself, but which, nevertheless, should be stated in justification of many measures which Her Majesty's Government may deem it essentially necessary to adopt. And therefore it is of necessity that Her Majesty's Ministers propose that a Select and Secret Committee be appointed to examine into the expenditure of the Navy, Army, and Ordnance Departments, and to which generally the expenses for those services may be referred. To that Committee will be referred all papers and documents prepared by the heads of the various Departments; and both they and other persons the most capable of affording information on the subjects to be inquired into, will of course appear before the Committee for examination. This Committee will be distinct from the one for the appointment of which I shall move to-morrow. That Committee will be one to inquire into the expenditure for Miscellaneous Services, and to report to the House whether any reductions can be effected, or improvements made, in the mode of submitting that branch of the public expenditure to Parliament. I may state that Committees of the nature of that to which I have just referred, namely, to inquire into the circumstances connected with the finances of the country, especially in relation to the expenditure of the Navy, Army, and Ordnance, have been appointed by the House of Commons at various times. When the right hon. Gentleman the Member for Tamworth (Sir R. Peel) was Minister in 1828, he moved for an appointment of a Finance Committee, which was the last Committee of the kind that has been appointed. On that occasion the right hon. Gentleman reminded the House that from the year 1786 downwards, when the first Committee of that description was appointed, Finance Committees had been pretty nearly at equal intervals of ten years appointed down to 1828. The right hon. Gentleman stated that the first Committee was appointed in 1786, after which similar Committees were appointed in 1791, in 1796, in 1807, and in 1817; and the right hon. Gentleman was then proposing the appointment of a like Committee in 1828. It is now twenty years since such a Committee sat. A somewhat similar Committee sat in 1834 on the subject of the Colonial Military Expenditure. Lord Stanley was at that time Colonial Secretary; and the Committee was afterwards reappointed on the Motion of the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone), who was in 1835 Under Secretary for the Colonial Department. Under all the circumstances, therefore, I am of opinion that it would afford much more complete information to the House on the subject of the expenditure which may be deemed necessary for the public service, if all the information bearing upon the various causes for that expenditure should be laid before a Select Committee, than could be obtained by any partial, and, therefore, necessarily imperfect information, that could be given in a Committee of the whole House. As to the mode in which the Committee should be constituted, I beg to assure the House that Her Majesty's Government have no wish but that it should be fairly and impartially appointed. With regard to the vote of this evening, I find, on referring to the course pursued in 1845, that when it was proposed to renew the income-tax, no discussion of the estimates occurred during the interval of the proposal being made by the right hon. Gentleman (Sir R. Peel), and the time when the House came to a decision upon the question. We now propose to follow that example, so far as any full discussion of the estimates is concerned; but it is necessary for the public service that a vote of the House should immediately be taken; and I hope, after this explanation, the House will not object to agree to such votes as are necessary for carrying on the service of the country. I hope the House will allow my hon. Friends the Secretary at War and the Secretary for the Navy to propose votes for those great heads of expenditure which are required at this period of the year. It was with a view to this that on Friday I recommended my right hon. Friend the Secretary at War to give notice of the Army Estimates, and my hon. Friend the Secretary to the Admiralty of

the Navy Estimates, for to-night, in order that money might be provided to meet some of those great heads of expenditure; and I hope the House will not object to the votes being taken. I have only further to say, that I hope this will induce hon. Gentlemen to abstain from pressing any discussion, either on the estimates or the budget to-night. On Monday it will be my duty to state very fully the views of the Government with regard to the proposal for taxation; and I submit that with reference to the detailed discussion on the estimates, it clearly will be far better to postpone it, and allow the subject to be referred to the Committee, as a desultory discussion cannot but be most unsatisfactory, as it does not disclose a full and fair view of any subject discussed, and as the opinion of the House cannot be taken—hardly indicated—on any one proposition submitted to it, it really will conduce to the despatch of public business, and to the satisfactory consideration of every one of the elements of future discussion, if hon. Members will abstain until the subject shall be fairly brought before the House. With these observations, stating what the course of the Government will be, I beg to move the Order of the Day for the Committee of Supply.

Mr. HUME felt bound to state to the House, in a few words, the grounds upon which he had expressed his dissatisfaction with the proposal of the noble Lord. He had expressed himself warmly, beeause he felt warmly, having been much disappointed; and he would explain to the House why he did so, and in what way he differed from the right hon. Gentleman who had just sat down with regard to the course which the House and the country ought to adopt. The right hon. Gentleman said that it was the duty of the House to look to the estimate first, without any regard to the means of providing for it. He had always contested that point, on the ground that the Government ought to act upon the same principle that actuated the head of a family in entering upon any new expenditure. Every one would admit that it was the duty of a man, before he set up a carriage or a new house, to see that he had the means of supporting it; and no one would sympathise with him, if, instead of following that rule, he started his carriage and then found he had not the means of maintaining it. Upon the same principle he felt it to be his duty to object to the House going into these estimates till they had considered whether the means could be obtained. The impression which had been created in his mind by the speech of the noble Lord on Friday night was shared in by many of his (Mr. Hume's) Friends around him. His own impression and that of Gentlemen around him was, that a more hostile speech with respect to France had not for a long time been made. However, he was glad that the impression was an erroneous one. With respect to the expenditure and income of the country, he held in his hand two balance-sheets, one for 1846, and the other for 1847. The first balance-sheet was signed by Mr. Cardwell, and showed the amount of income for the year 1846 to be 51,217,000*l.*; the other balance-sheet was signed by Mr. Parker, and showed the income for the year ending 5th April, 1847, to be 51,240,000*l.* The House would bear in mind that there were 4,500,000*l.* expended in the collection, which would make the revenue nearly 56,000,000*l.* in both years. The former showed an excess of income over expenditure of 3,800,000*l.*, and the latter an excess of expenditure over income of 2,956,000*l.*; thus making a difference in the two periods of not less than 6,756,000*l.* He would ask whether, with such a statement before him, he was not justified in endeavouring to stop the proceedings of the Government until some inquiry was instituted? Whether it were not the duty of the House to ascertain whether a reduction of the public expenditure could not be made; or whether it were absolutely necessary to incur this great expense in order to support the institutions of the country? This suggestion was made by him before the noble Lord opened his financial statement. On hearing that statement, he learned, to his surprise, that instead of retrenching the expenditure, the Government actually felt it necessary to increase the taxation to the extent of 3,500,000*l.*; and he could not resist making the observations which he did on Friday night. In the year 1846 the interest on the funded and unfunded debt was increased by half a million. The year before the interest amounted to 28,140,000*l.*, and in 1846 it was 28,530,000*l.*, being a difference of upwards of 400,000*l.* He had always advocated the plan of converting the whole debt into terminable annuities; but he would not go into that now. In the time of which he spoke between 400,000*l.* and 500,000*l.* of terminable annuities fell in, which ought to have made a reduction by that amount. Considering

these things, he was certainly startled when the noble Lord proposed to increase the income-tax. This was a subject really of grave consideration, looking to the distress which existed—distress which was felt not only by the working classes, but by the shopkeepers and small householders, and others dependent upon daily trade. Let any Member of the Government or of that House take any public street of shops, and inquire of the inhabitants the state of trade—he would find a most lamentable state of things. Few were buying, and the shopkeepers were scarcely able to pay their parish rates; and if this were so, there must be something wrong in the distribution of the national income, and that instead of increasing the expenditure they ought to see if some retrenchments could not be made. For instance, he held in his hand a paper moved for by his hon. Friend the Member for the West Riding, containing an account of the naval force we had in Portugal. From that paper it appeared that there had been from ten to eighteen ships there. In September there were ten ships with 754 guns, and nearly 7,000 men. Why, the maintenance of that force would make up the deficiency of which they were complaining. He was prepared to lay before the House the expenses incurred in the attempt to put a stop to the slave trade. At the commencement of the present Session he moved for returns, for the purpose of showing what had been the number of ships employed on the coast of Africa for that purpose. He did that thinking that the estimates required to be reduced; but no such returns had yet been laid before the House. One return had been furnished; but it appeared to him to be so incorrect that he required other returns in order to test its accuracy. It appeared by a paper on the table of the House, that there were 46 ships, mounting 279 guns, and carrying a very large number of men, cruising on the coast of Africa to suppress the slave trade. In addition to this, there was a great waste of the resources of the country. He only mentioned these things as examples. Then again it appeared that both France and America were forced into expenses on account of our measures relating to the slave trade. It appeared that in 1846 the cost to France was 5,119,256 francs, and the House must also take into the account the alienation from England which the loss of this money produced on the French mind. He found by a paper which he had got from Washington, that the charge for this item in the United States was 384,000 dollars—a charge which was still further increased by the destruction of provisions and stock. The question then was, whether the House should advise Her Majesty to continue this policy, and whether it would not be better to ascertain beforehand whether this policy was satisfactory to the nation. There were so many points connected with the consideration of the Estimates, that he thought it but reasonable that an inquiry should take place; but the right hon. Baronet proposed to give the House only half an inquiry. The right hon. Gentleman would not allow an inquiry into the departments of the Customs and Excise, but only into the estimates connected with the Navy, the Army, and the Ordnance. The expense of managing the Customs was 1,800,000*l.*, and yet, though 700 articles on which duties were formerly levied were now passed without any trouble, he was still to learn that there was one custom-house officer appointed less than before. A reduction to the extent of 57,000*l.* had been made in the establishment of the Excise; and he thought that Government ought to order this inquiry on their own account, even if they should be obliged to go on with their present rate of taxation. He must say that the House ought not to be prevented from examining the whole of the expenditure of the country; and some inquiry should be made whether the mode of taxation might not be improved. He was aware that there was a great difference of opinion in that House whether there should be direct or indirect taxation; but it was important that they should see what taxes could be raised with the least charge and burden to the people, and what could be brought with the least expense into the Exchequer. For the last eighteen or nineteen years there had been no Committee on this subject. The Committee which sat in 1828 was "burked"—they were a whole year in collecting information, and yet no proper inquiry had taken place. Sir H. Parnell was chairman of that Committee, and Lord Althorp and other Gentlemen willing to work were members of it; and if that Committee had been allowed to proceed, important changes would have taken place, not only in the mode of collecting the revenue, but in the expenditure. Lord Hardinge was on that Committee, and he must say that his arrangements in the War Office were highly

creditable to him. He did not mean to say that Lord Hardinge's arrangements were brought about by any recommendations made by the Committee; but Lord Hardinge saw well what the opinion and feeling of the Committee was, and he applied himself to remedy the abuses and evils which prevailed in his department. He maintained, therefore, that when there was a difficulty in collecting money and adding to the taxes, it was not fair to ask the House to consider that question without satisfying the country that everything had been done that could be done. There was another point which he wished to notice before he sat down. He thought he had heard the right hon. Gentleman say that this was to be a Secret Committee. He did not like Secret Committees, and he would therefore submit for the reconsideration of Her Majesty's Government, whether a Secret Committee would be satisfactory to the people of this country, and whether it would produce a conviction on their minds that everything that might have been done had been done? No man, however, was more unwilling to incommode the public departments than himself, and therefore he should not oppose the Motion for going into a Committee of Supply, the only condition which he should require of the right hon. Baronet being, that he should not take too much; now and then, if more were were wanted, he might come again. In the meantime, the Committee might go on with the inquiry proposed by the Government.

Mr. EWART was convinced of the necessity of sooner or later taking into consideration the whole question of the taxation of the country. His hon. Friend had truly stated that, in consequence of the reductions made by the right hon. Baronet the Member for Tamworth, the cost of collecting the Excise had diminished 50,000*l.* or 60,000*l.*, while no corresponding diminution had taken place in the Customs. He saw no reason why a similar reduction should not be effected. He was anxious, for one reason, that some such Committee as that which had been recommended by his hon. Friend should be appointed. Some important reports connected with the Excise had never been submitted to the House, and among them was a report which had been prepared by the late Lord Congleton. The whole of those reports ought to be taken into consideration, and that could only be done by a Committee of that House on the subject of general taxation. He was sure that the people of this country felt that it ought to be considered whether many of those taxes which were collected by means of the Customs and Excise, might not be levied upon the realised property of the country. With regard to the speech made by the noble Lord (Lord J. Russell) on Friday night, he must say that he thought its tone anything but pacific. Even if the noble Lord was convinced of the necessity of an increase in our naval, military, or ordnance establishments, the noble Lord should not have put that proposal in the foreground of his speech, but as an appendix to it. For his own part, he was most anxious that peaceful relations with France should be maintained, and he should be happy to see the duties taken off French wines, in order to extend our commercial intercourse with that country.

Mr. S. CRAWFORD expressed his astonishment that the proposal made on Friday night should proceed from a Government professing to act on the principles of retrenchment, economy, and reform. He had hoped that the noble Lord would not have set an example of extravagance. He had expected that our expenditure would have been reduced, as he did not think that we were ever in a condition when there was less necessity to take warlike precautions. He should feel it his duty to give every opposition in his power to the proposition now made for incressing our expenditure and taxation.

Captain HARRIS could not allow the House to go into Committee without protesting even at that stage against the proposition to appoint a Secret and Select Committee on the Navy, Army, and Ordnance expenditure. He thought that they were bound to proceed in this matter in the usual manner; and he must say it appeared to him very much as if there had been a compromise between the Government and the hon. Gentleman opposite (Mr. Hume). He would venture to say, that if it had not been for the Motion of which that hon. Gentleman gave notice on Friday, they would not have heard of the appointment of any Committee that night. Why should the questions arising out of the expenditure of the Army and Navy not be brought before the whole House? When the right hon. Gentleman (Sir R. Peel) brought in the income-tax, the estimates were laid before the House in the usual manner; and why should not the same course be taken by the Govern-

ment now? The appointment of this Committee threw an air of mystery over the matter which could not but awaken suspicion and dissatisfaction in the country.

Mr. HUME could only say that he had had no communication by writing, word, or letter on the subject with any one person connected with the Government; and it was not fair on the part of the hon. Gentleman to throw out insinuations of the kind just uttered by him, unless he had good grounds for doing so.

SUPPLY—NAVAL ESTIMATES.

House in Committee.

Mr. WARD moved a vote of 245,410*l.* 19*s.* 7*d.* to defray the excess of the Naval expenditure beyond the grant of last year.

Mr. HERRIES did not think it was understood that any votes that might be proposed were to be taken without discussion in Committee of Supply, merely because another Committee was to be appointed. He held that whatever vote they were called upon to pass in the extremely disastrous circumstances of the country at the present moment, the House was bound to consider most seriously; and that House would be abandoning the most important of its duties if it passed one vote without bestowing upon it the utmost attention that it was capable of giving. He must say that the word "secret," in reference to the Committee to be appointed, had rather indisposed him to meet the proposition of the right hon. Gentleman the Chancellor of the Exchequer. The use of the word "select" alone would have been much better than those employed, namely, "secret and select;" and he could not help saying that he had a great repugnance to such a Committee. If their object was to withdraw from public notice all those votes that formed part of the naval and military estimates of this year, they might be sure that that course would not lessen the difficulties staring them in the face; and he hoped the Members of that House would pause before they gave their consent to such a Committee. He had heard nothing to reconcile him to the proposition made of referring these votes to a Secret and Select Committee, though no doubt that subject would more properly fall to be discussed when the proposal was formally before the House.

The CHANCELLOR of the EXCHEQUER agreed with the right hon. Gentleman that it would be highly improper to take any whole vote on the present occasion, and that no such vote should be proposed without the fullest information being given as to its nature and objects. The first vote that had now been asked for was one that could not be reasonably objected to, seeing that it was a vote for the payment of past expenditure. The right hon. Gentleman must be aware that it was not necessary in such a vote to give a complete statement, especially as a full explanation would be given when the whole vote was taken.

Mr. BANKES asked the Chancellor of the Exchequer if he would state whether this was or was not a vote with relation to which there had been a controversy between the Treasury and the Admiralty; the Treasury finding fault with the Admiralty for the way in which the amount had been incurred, alleging that it had been done in an irregular manner? If such was the case, the sooner an explanation was given the better; for it sounded rather unpleasant to hear that two departments of the State were at variance the one with the other. With regard to the vote, he hardly knew what effect it might have upon the public mind; for it was already fonnd that the House of Commons was no sufficient check between the Minister and the public, as the amount which they voted was frequently not the whole amount expended, as the excess of expenditure showed. He thought the vote ought not to pass without a very full explanation, as a question not only between the two departments who had come into collision, but also as a question between them and the public and the Government. As to the question of a Secret Committee, would the Chancellor of the Exchequer allow him also to ask in what respect there was a difference between a Select and a Secret Committee? Were the Members of the House not selected to sit on that Committee to know how persons voted who sat upon it? With regard to other Committees, it was well known that the way in which parties voted was made public; was the same course to be adopted with reference to this Committee? and, if so, would it be got immediately, so as to enable the House to give its judgment upon any decision they might arrive at?

The CHANCELLOR of the EXCHEQUER said, this was a vote on which a correspondence, such as he had alluded to, had taken place. The hon. Gentleman was aware that, in old times, the balance of former votes was handed over to the particular departments in which they oc-

curred, and that those departments had the power of applying and sometimes misapplying the sums thus put into their hands. An Act was passed, however, in 1832, with reference to the Admiralty, and another Act was passed last year with regard to the Army, which did away with this practice, so liable to abuse. Those departments could no longer hold a balance; after the 5th of April in each year they were bound to pay over all unappropriated balances into the Exchequer, and therefore it was necessary to have a vote of that House to defray the excess of expenditure which might be incurred. The object of taking that vote now, was to have it brought at the earliest possible moment before Parliament; and he need not tell the hon. Gentleman, what he must know perfectly well, that it was impossible in all cases to keep the expenditure within the estimates. With regard to the point as respected the Admiralty, they had not done what they ought to do according to the Act. The hon. Gentleman had asked a question as to what constituted the difference between a Select and Secret Committee, A Select Committee was, in his estimation, one that was open to the whole world, and therefore could have nothing secret about its composition; a Secret Committee was one to which the whole world had not the right of admission. The only Secret Committee on which he ever sat was one in 1840 and 1841, on the subject of banks of issue; and, at the termination of their sittings, the result was laid before the House. A Secret Committee sat also, he believed, in 1828. He believed that a good deal depended on what came before Secret Committees, whether, on the whole, they deemed it expedient to publish the result of their proceedings, or the grounds on which any decision they might come to was founded.

Mr. HUME understood no very important vote was to be taken, and he saw no reason to object to the sum that had been proposed.

Colonel SIBTHORP was completely opposed to this Secret Committee, which was no doubt to be proposed by the Government to suit their own particular purposes. The evidence taken before it, whatever it might be, was to be kept entirely from the public; and they would know nothing about the matter till perhaps a garbled and unsatisfactory statement was laid by somebody or other before the House. This he thought a very dangerous mode of proceeding; and he had hoped that the hon. Member for Montrose would not have consented to wave his important Motion for any such proposal. He trusted that the House would firmly refuse to vote the estimates till they had a full and satisfactory explanation. He wanted all Committees to be before the House and the public, and that gallery, so that a report of everything might reach the world through that excellent organ, the press. He was sorry to say the House of Commons was not disposed to serve the public, but to back up a Ministry which did not deserve the confidence of the public.

Lord G. BENTINCK was by no means satisfied either with the explanation of the noble Lord or the right hon. Gentleman the Chancellor of the Exchequer. He conceived it to be entirely unconstitutional to propose a Secret Committee to inquire into the state of Her Majesty's Navy. His right hon. Friend the Chancellor of the Exchequer had attempted to draw an analogy between a Secret Committee to inquire into the defences of the country, and a Secret Committee to inquire into a Bank Bill, or into the general credit of the country. He apprehended there was a most essential difference between an inquiry which concerned the credit and commerce of the country, and an inquiry that concerned the national defences; and unless the noble Lord was prepared to say that there were grave reasons of State for such a course, and evident peril surrounding the country, he, for one, would not consent that that House should delegate its powers to a Secret Committee. What was to take place in that Committee? What inquiries were to be made? Were they not to know the nature of the inquiry, or who and what were the witnesses to be called before it? Were they not to know whether it was to inquire into the diplomatic relations of this country, or how near or how distant was the danger of an invasion from France? Were they to go blindfold into the appointment of a Secret Committee without being told anything of the objects of the inquiry? Was it that perhaps the country was in imminent danger of foreign invasion, and that it was proposed to go into a Committee to inquire what were to be the defences and fortifications, and what the number of steamers or ships that were to be added to the Navy? He confessed, for one, that if it could be shown to him that there was imminent peril—that some expedition was projected, and that it was not safe for the

country that the enemy should know anything of our preparations—that might be a reason for assenting to a Secret Committee; though he might then say, that the Executive Government was not fit to hold its position when it deputed the executive power and authority, which properly belonged to the Crown or the Ministers of the Crown, to a Select Committee. For these reasons, unless the noble Lord was prepared to state some better grounds than he had yet heard, he would not consent to refer the Navy Estimates to any Secret Committee.

Lord H. VANE believed that a Select Committee had the power within itself to exclude the public from its sittings, as occasion might require; and that course was agreed to be taken by a Committee of which he was a Member last year. That Committee thought it expedient to come to a resolution on the subject; but he apprehended that it was at all times in the power of a Committee to exclude the public, and to prevent the publication of any part of the evidence taken before it. He quite agreed with the noble Lord in thinking that it would be inexpedient if there was to be no publication at all; and, therefore, if this Committee were appointed, reports of its proceedings should be published, leaving with the Committee, however, the liberty of excluding any portion of those proceedings which they might think it inexpedient to give to the world. He would ask the noble Lord whether his understanding of the Secret Committee was such as he had described it; or whether he intended that no publication whatever should take place of the proceedings?

Lord J. RUSSELL: The question has been put, why a Select and Secret Committee is to be appointed? I shall, however, not enter into the reasons why such Committee should be appointed, but rather confine myself to the apprehensions which have been expressed with respect to the consequences of such a course. The noble Lord (Lord G. Bentinck) says, the appointment of a Secret and Select Committee is unconstitutional; but, in 1788, in 1797, 1807, 1817, and 1828, and under various Ministers—such as Mr. Pitt, Lord Grenville, Lord Liverpool, and the Duke of Wellington, this House appointed Committees of Inquiry into the whole expenditure of the Army, Navy, and Ordnance. Those Committees were all not only Select but Secret Committees; that is to say, not only were the public in general excluded, but Members of the House had no right to walk into those Committees and insist on being present. Why it should be unconstitutional in 1848 to do that which was done on all these several occasions, I own passes my comprehension. I should have thought that a proceeding sanctioned by such names, though it might be considered objectionable on other grounds, could not be, at all events, characterised as essentially unconstitutional. Upon one of those occasions Mr. Pitt stated why he thought the Committee ought to be secret. He said the heads of departments might be examined, and that the statements which they might have to make before the Committee might involve facts which it was not desirable to publish to the world. That was a practical and sound reason. It was a reason which applied to the present time. Statements might be required from the heads of departments; but if every Member of Committee were to ask those persons whatever questions suggested themselves, there might be considerable inconvenience in at once publishiug those statements. I hope these considerations will satisfy my noble Friend. I have to express my own conviction that it would be highly inconvenient if such a Committee were an open Committee; and if, every Member of Committee putting what questions he pleased, the examinations were given at once to the world. I shall not enter on the question whether it is convenient to appoint a Committee. My right hon. Friend has given notice of his Motion for to-morrow, when he will state the grounds on which he proposes a Committee. My own impression is, that it will be for the public advantage that such a Committee should be appointed. All we want is to obtain such a sum of money as public convenience requires. We are far from wishing to avoid discussion. On the contrary, we think that there ought to be a fair and open discussion on these estimates; and I, for myself, have only to state that, in my opinion, they are neither war estimates nor are they framed with any view to a rupture with any foreign Power. Our relations with foreign Powers are most amicable; and, in that view the estimates are framed, and I am prepared to take my share of the responsibility of those estimates.

Mr. HERRIES observed, that they were now discussing what was to be the nature of a Committee which had not yet been proposed. If the proper course had

been taken, and the Committee been proposed in the first instance, then with great propriety might the proposition have been made that the House should vote on account such sums as the public service required. But Her Majesty's Government were resolved to refer the whole to a Select Committee. The noble Lord (Lord J. Russell) had referred to various dates when Committees had been appointed. But those Committees were not of such a nature as that which it was now proposed to appoint; they were general Finance Committees, appointed to inquire with reference to all departments of the Government. Did the Government intend at present to propose a general Finance Committee before they proceeded with the votes? If so, the votes should be postponed. From what the Chancellor of the Exchequer had said, he gathered that the Committee was to inquire specifically only into those estimates for the present year. If they were to adopt the precedent to which allusion had been made, and institute an inquiry into all the financial arrangements in regard to the whole income and expenditure of the country, then the question as to the income-tax ought also to be referred to the Committee. He wished to know why they should be called upon to give votes *ad interim?* The noble Lord adverted to cases in which secrecy was observed by Committees. One case was mentioned as occurring in the time of Mr. Pitt. [Lord J. Russell: In 1785.] It would, he believed, be found that such cases had occurred in time of war, when it would have been inconvenient to make revelations on the subjects brought before the Committees.

Mr. HENLEY thought they were getting very fast into a very curious position. The Government had brought forward a proposition for taxing the country. They had also expressed their formal judgment, as a Government, in regard to the expenditure which they considered necessary for the country during the coming year. Part of that estimate was printed and before hon. Gentlemen; but they could not look at the printed figures, and take into account what had been stated by the noble Lord the other night, without seeing an expenditure stated running hard upon 60,000,000*l.* He (Mr. Henley) should not refer to the palmy Whig days of 1835 and 1836; but, looking to 1840 and 1845, he found that there had been a periodical increase. That might be right; he expressed no opinion whether it was so or not. But the fact no man could deny, that there had been a great and heavy increase. What was the remedy proposed? Was the House of Commons to look into the matter? Why, instead of standing the ventilation of the estimates as those estimates ought to be ventilated—instead of coming forward and assigning their reasons why this item and that should be allowed—the Government proposed to refer the subject to a Committee. The Navy Estimates, he ventured to say, would be found to have rapidly increased for several years: they had increased at the rate of 1,000,000*l.* a year. The proper course was for the Government to stand fight on the estimates in an open Committee. If Ministers thought the country would be satisfied with refering such a matter to thirteen, or fourteen, or fifteen Gentlemen, a majority of whom might be expected to adopt the views of the Government—if those estimates were approved, nobody knowing why and wherefore, by a Committee so constituted—if, in point of fact, they were not proposed on the responsibility of Government, the Government throwing its responsibility on the Committee—it seemed to him that such a course amounted as nearly as possible to an abdications of the functions of Government. He did not see what other inference he could draw, if those persons who were most conversant with all the circumstances of the country did not come forward and give an account of what they thought was proper to be expended on them: he repeated, if they did not in open fight before Parliament defend their propositions. He did not pretend to say that the Committee should not be appointed, or that the estimates were not just; but he confessed that the course now proposed had struck him with so strong a sense of the inability of Ministers to conduct the government of the country—their inability to stand upon their own measures, and justify them—that he could not abstain from adverting to so singular a state of matters. The unusual thing in the condition of the country now was, that the expenditure ran up in a year some 2,000,000*l.* or 3,000,000*l.* It was not very easy to say why the position of the country should make it necessary to expend more this year than was expended some years ago. He did not say the additional expenditure might not be justifiable, but it ought to be fairly placed before them. Many of the instances in

which Secret Committees had sat occurred during the war, when the country had to spend, possibly, 100,000,000*l.* a year additional, and when their establishments far exceeded the rules applicable to peaceful times. It was very natural that the Government, under these circumstances, should seek to have the estimates considered in such a Committee. He knew not whether one of these was not appointed when the property-tax ceased to be paid. But what occurred on former occasions did not afford any precedent. With regard to the vote for arrears which was immediately before the House, he thought it ought to be postponed. There could, however, be no objection to going so far as might be necessary to enable the Government to bring in the Mutiny Bill.

Sir R. PEEL: It was my duty to move the appointment of the last Committee on public expenditure. I made that Motion in 1820, as the representative in the House of Commons of the Government of that day. In the year 1828, shortly after the Duke of Wellington was called to the Government, and in fulfilment of engagements given the preceding year by Mr. Canning, I moved the appointment of a Committee to consider the military expenditure. Ten years had then elapsed since the appointment of a Committee on finance. A Committee had been appointed at the instance of Mr. Pitt in 1786; the next was appointed in 1797; the next under the Administration of Grey and Grenville, in 1807. After an interval of ten years, another was appointed in 1817; and after the lapse of other ten years I proposed in 1828 the appointment of a Committee to consider the military expenditure of the country. I agree with the noble Lord in thinking that this is not the moment to determine whether the appointment of a Committee is fitting or not. But, in reference to the question, so far as it has been raised, as to the Committee being a secret one, I apprehend that if the precedents of former periods are to be followed, the Committee should be a Select Committee. But it will have full power to withhold from the House all information the discovery of which would be injurious to the public service; it will, therefore, be secret. This Committee, which is nominally a Select Committee, has, I apprehend, the power of conducting inquiries in secret, and of excluding from the public knowledge any evidence which it might be important to abstain from disclosing. If you turn to the report made on the Ordnance Estimates, so far from its being a Secret Committee, you will find that Sir H. Hardinge was examined for ten days, and the evidence was given almost without reserve to the public. And the course which seems expedient in such cases is, that any opinion, testimony, and information which can be given without detriment to the public service ought to be given. No Committee that may be appointed ought, therefore, to be a Secret Committee in that sense. Though the Committee to which I refer published most important evidence given by my noble Friend, then Sir H. Hardinge, who was at that time actuated by the same spirit, and pursuing the same course of conduct as has since distinguished him in India, and had led him before demitting his government to adopt measures which would effect a saving of nearly 1,000,000*l.* per annum on the military expenditure there—most important evidence also was given by my noble Friend, which would not have been given had the House confined itself to a general Committee on the subject. It related to military works; and the Committee felt justified in withholding it under the circumstances of the time. In their report they speak of the military defences of Canada. They state that—

> "The documents which relate to the subject will be found in the appendix. The Committee regret that they are prevented by important prudential considerations from annexing all the evidence given to them respecting these."

I hope that no Committee we may appoint will prosecute its inquiries without following the course then taken, namely, that all the information which can be given without detriment to the public service should be given; yet that the Committee, when it thinks necessary, shall conduct its proceedings in secret, and withhold what it believes would, if disclosed, be injurious to the public service. I reserve my opinion on the question whether those estimates should be referred to a Select Committee; but if they are referred to such a Committee, I have indicated the course which it appears advisable for the Committee to follow.

Sir F. LEWIS thought that those who wished reduction of expenditure should hail with pleasure the appointment of such a Committee as the Government proposed to appoint. He hoped it would be made, not a Secret but a Select Committee. Unless the rules had been changed since he was formerly a Member of the

House, no Member had a right to be present if the Committee were secret. If the Committee were a Select Committee, any Member had a right to be present. No one would wish to exclude Members of the House from such a Committee, and he should therefore think it unwise to appoint a Secret Committee if a Select Committee could gain the same object. A Select Committee would also be more satisfactory to the public.

Mr. NEWDEGATE considered the only distinction between a Select and a Secret Committee was, that in the former Members of the House might attend, in the latter they might not. But the Select Committee had power to exclude when it chose; and therefore it appeared to him to be as much a Secret Committee as if it were appointed so. After what had passed on the subject of Supply, the proposal to refer those estimates to some such Committee appeared to be nothing else than putting the powers of the Government into commission. But the suddenness of the resolution of Government was the most remarkable part of the whole. The precedents of 1797 and 1817 had been quoted; but he doubted if such a precipitancy had been exhibited on those occasions as there was at present in vesting their Committees with powers, except, perhaps, in 1797; for that was the year in which cash payments were suspended. Perhaps the Chancellor of the Exchequer had some such intention on the present occasion. If he had, it would astonish some of his friends. But without some such emergency he certainly thought it was an unusual and undignified course to make an announcement on Friday, and then run away from it on Monday. His principal object in rising, however, was to ask the noble Lord whether it was his intention to ask the consent of the Committee to-night for some round sum for the current expenses which he might deem necessary, or to some specific vote? The former course he was quite sure would not be objected to by hon. Members on that (the Opposition) side of the House, though several might object to the latter.

The CHANCELLOR of the EXCHEQUER said, that if it was contrary to the understanding of the House that he should take a specific vote to-night, he was ready to withdraw it. The proposed vote was one which it was essential to take on an early day; but if it was the wish of the House, he would withdraw it for the present, and ask nothing but a vote to account.

Mr. ROBINSON said that he, for one, would not consent to vote a single shilling, either on a specific estimate or to account, nor would he agree to the appointment of a Secret Committee, until an opportunity had been given to the public to express its opinion upon the budget of last week. In saying this he disclaimed any wish to offer any factious opposition to Government, or to obstruct the public business.

Mr. R. C. HILDYARD was at a loss to understand the conduct of Government on the present occasion. If they intended, as they said, to refer the estimates to a Committee, why call upon the House in the mean time for an increase of the property and income-tax? They first told the House that they had found it necessary to propose an increase of the income-tax, in order to meet the increased estimates which they were prepared to submit; and then they stated that it was their intention to submit these estimates to a Secret Committee: was that with a view of throwing upon the Committee the responsibility of the estimates, or were the Committee to be at liberty to reduce them if they should find it to be desirable? Supposing this to be the result, then, according to the course proposed by Ministers, the country would be saddled with an increased property and income-tax, which they might afterwards find they did not want. He must say, he thought that this was trifling with the country. It seemed to him, like another Committee that had been appointed, a mere farce; an expedient adopted for the simple purpose of taking from the shoulders of Government that responsibility which properly belonged to them. He would ask the noble Lord whether on Monday next he intended to call upon the House to vote an increased income-tax?

Lord J. RUSSELL: I don't think the hon. Gentleman has properly understood the statement I made to the House the other night. What I stated was, that supposing the expenses of the country to remain the same as last year, there was an excess of expenditure already incurred which must be paid for—that, supposing we made no increase in the estimates, there would still be a deficiency of between 2,000,000*l.* and 3,000,000*l.*, which we must meet by increased taxation. If I could suppose that this Committee which we intend to propose, or any other Committee of the whole House or otherwise, could diminish by upwards of 3,000,000*l.* the

estimates we have laid on the table, I should concur with the hon. Gentleman in thinking that we might go on without any increase of the income and property-tax. But I cannot hope that any such reduction could be made. I can assure the hon. Gentleman that we have no desire to get rid of a responsibility by the appointment of a Committee. On the contrary, we are quite willing to undergo any inquiry that can be made into the estimates before a Committee of the whole House, and an inquiry before a Secret Committee over and above the inquiry before the Committee of the whole House. We are quite ready to submit them to both these modes of investgation. I repeat, however, that I cannot believe that the result of such investigation will be to reduce the estimates by 3,000,000*l.*; and I cannot believe, therefore, that an increased taxation will not be necessary.

MR. DISRAELI was afraid that, in their efforts to prevent an increase in the taxation of the country, they need not hope for much assistance from hon. Gentlemen below the gangway opposite, whose silence on the present occasion must be very agreeable to the Government. But he rose merely for the purpose of saying, that when the Chancellor of the Exchequer proposed the Committee, he should be extremely obliged to him if the right hon. Gentleman would furnish the House with the precedents for the step which he recommended. He certainly could not find any precedent in the report which had been referred to by the right hon. Gentleman the Member for Tamworth (Sir R. Peel). That right hon. Gentleman had appointed the Committee of 1828, which he said was a Select Committee, to examine the military estimates of the country. Such, however, was not the title of the Committee. The title of the Committee, as was well known, was a Committee to inquire into the state of the public income and expenditure. Now, that was a great difference. The object of that Committee was to see whether it were possible or not for the House of Commons, consistently with the public safety, to diminish the public expenditure; but the military estimates for the current year were not brought before the Committee. It afforded no precedent, therefore, for the present proposal; and he had every reason to suspect that the previous precedents that had been referred to would be found as little germane to the present instance as the one referred to by the right hon. Gentleman the Member for Tamworth. He begged to impress upon hon. Members the importance of this consideration. If the House were called upon to appoint a Secret Committee to investigate the military expenses of the year, no one could suppose it was for economical purposes. On the contrary, it was for considerations of a much graver character; such as whether the defences of the country were deficient or not; or whether there were not other circumstances to justify the expenditure, of which it was probable a portion of the House of Commons would be kept entirely ignorant, and which would be concealed from the knowledge of the public. At all events, it could not be said that it was identical with the Committees of 1787, 1817, or 1828, which had been already referred to. He repeated, that he feared the Government would be found steering without the light of precedent. He called upon hon. Members to recollect that if the estimates were discussed in that House, and if it should be found in the course of the discussion that they could not obtain proper information, or could not form a correct judgment of the case without the presence of the public officers, that might be a legitimate ground for referring the matter to a Secret Committee. But it did not follow that they would require the presence of the public officers any more than on previous occasions.

The CHANCELLOR OF THE EXCHEQUER could, without much trouble, satisfy the House at once on the point referred to; but to do so would be only adding to the inconvenience which had been already felt in discussing a subject not then before them. To-morrow, however, he should be prepared to lay before the House the grounds and the precedents for the proposal which he would then submit to them.

LORD DUDLEY STUART said, it was evident the Government must have felt that their financial statement was highly objectionable; that it had excited dislike and reprobation on all sides of the House; and that it was absolutely necessary to do something to conciliate the opposition. And what had they done? The Chancellor of the Exchequer had come down to the House and proposed a Secret Committee. He (Lord Dudley Stuart) did not believe that the appointment of a Committee would afford any satisfaction whatsoever to the

country. He did not believe that it would reconcile the people in any degree to the proposal which had issued from the Government. He did think that there never had been such a budget as this one. He believed it was generally anticipated that the income-tax might be continued; but it was supposed it would be accompanied by something which would mitigate the evil; that, at least, it would be levied upon a principle which was less unequal than at present, and therefore less objectionable. If the window-tax had been taken off, or the tea and tobacco duties reduced, or some other boon of that kind given to the country, it might have been considered as some compensation for what he had always considered a great evil, viz., the income-tax. In fact, he had always marvelled how that House and the country had so quietly submitted to that tax in a time of profound peace. It had been obtained from the House, he would not say on a false pretence, but a pretence which had certainly not been fulfilled. It had been said that it was only to last for three years; then it had been extended other three; and now it was to be extended still further. He could not agree, however, with some Gentlemen on his side of the House in their view of the observations of the noble Lord in introducing the budget. He had never understood that the noble Lord had brought forward his statement as a war statement, or that he had sounded any alarm; and he was very glad that the noble Lord had that night disabused the minds of this House and the country upon that point. He admitted, however, that he thought it would be highly culpable if they suffered this country to be in a state which would offer temptation to a warlike people to come over and invade us. He firmly believed, that on both sides of the Channel it was the desire of all sensible and reflecting men to preserve the relations of peace and amity. At the same time, he considered that war was not impossible; on the contrary, he knew that there were a number of turbulent spirits in France who would be glad to go to war with this country if an opportunity should offer; and he could not feel that, if the French nation should ever be ruled by a monarch of headstrong disposition and military predilections, or by a weak monarch guided by an ambitious and unscrupulous Minister, that there would be no danger of so deplorable a contingency as war. Without, therefore, filling the country with armed men, or covering it with forts, a moderate and reasonable state of defence ought to be maintained. He was much inclined to the opinion that this might be effected without any augmentation of our armaments by a more judicious distribution of them. There were squadrons in different parts of the world that were of no other use than that of creating a lavish expenditure. The squadron upon the coast of Africa cost at the very lowest estimate 300,000*l.* a year, and was employed in an inglorious service, in which numbers of gallant officers and men lost their lives miserably in trying to accomplish that which they could not effect. The object proposed to be attained by that squadron was undoubtedly one of the noblest, the most humane, and the most righteous that could be imagined; and he was satisfied that if it were in any degree attained, there was not a man in the country who would grudge the sacrifice of money, or even of life attendant upon it. But it was notorious that all our efforts to put down the slave trade by our cruisers had wholly failed; we did not liberate more than one out of ten of the negroes who were carried off; and by driving those engaged in this most nefarious traffic to employ smaller vessels, wholly insufficient for the number of slaves they conveyed, we caused a frightful aggravation of the horrors of the middle passage, and occasioned a much greater number to perish by a horrible death than we succeeded in liberating from captivity. He thought that Government would do well to suppress that squadron, and devote the money to a more useful purpose. He would only add, that he was glad the Government had acquiesced in the suggestion that had been made.

Mr. WAKLEY said, the hon. Gentleman the Member for Buckinghamshire had expressed his astonishment at the silence of hon. Gentlemen below the gangway, and said he thought that silence must be extremely gratifying to Her Majesty's Ministers. He was very sorry that that gratification would be of very short duration. But the hon. Gentleman could not be surprised that they should be reluctant to speak upon a painful subject. He thought it was one of extreme pain. Nevertheless, as he knew it to be his duty to intimate to the Government what he had ascertained to be the opinion of great numbers of his constituents—a repugnance to the proposal that the noble Lord had submitted to

the House—he should not shrink from briefly discharging that duty. The proposal of the noble Lord, in brief, he might state, had been received by them with astonishment, indignation, and disgust. He always liked to express himself in plain and intelligible terms. Why should he talk for an hour—as he was sorry to say was the practice with some persons—and at the end of the hour leave his hearers in doubt as to what the speaker intended to express? There could be no difficulty, he hoped, in understanding what he had said. The noble Lord could scarcely be aware of the feeling which his proposition had raised out of doors. The people were angry to a certain extent with the right hon. Gentleman the Member for Tamworth when he proposed a tax of 3 per cent upon property and income for "the short period of three years." There was a fascination in the manner of the right hon. Gentleman which made his proposition acceptable to the House. He so paved the way—he laid the ground for it so nicely—that it was next to impossible to be angry with him. The noble Lord, he must say, resorted to no expedient of that kind. He came out in a very broad and manly way; and it was quite evident that he considered his proposition would not be unacceptable to the public. The noble Lord, however, would find that it would have been of advantage if he had used some stratagem. He thought honesty was the best policy; but honesty, upon this occasion, would bring him into a dilemma. It was his deliberately-formed opinion, that although the proposition to extend the continuation of the tax might be carried for three years, it was not in the power of the Government to increase it to 5 per cent. He might be wrong; but he was sure the public would make such representations to their representatives in the House, that those representatives would not dare to support Ministers in carrying out that proposition. Let it be continued for three years; what man was there in his senses, out of a lunatic asylum, who believed that at the end of that time, after the experience they had had, it would be abandoned? No. If it were carried for two years, it would be as perpetual as any Administration could make it. He said, then, the public were right in resisting the proposal at once, because it really involved one of the most dishonest, and, in his opinion, one of the most disgraceful species of taxes that could be tolerated by any country; and if John Bull would bear the spur, then, he said, let them give him more, and punish him for his stupidity. If the proposition were carried, he hoped that before the end of the Session it would be raised to $7\frac{1}{2}$ per cent; and he should be delighted to hear that it soon became 10 per cent. It would serve John Bull right. He must be the dullest of beasts if he bore the burden quietly. Upon this occasion they had the doctors in office, holding a consultation on the state of the patient. The causes that led to his complaint were not very minutely examined; but one of the doctors said to the others, "What shall we do? what was done last time?" "Oh," was the answer, "we gave him a property and income-tax." "Then double the dose," and the dose was doubled, and bitter enough it was. But did the doctors show upon this occasion that they had applied their minds really to the condition of the patient? He could not endure drastic purges for ever—they had drained him to exhaustion already, and yet they wanted to bleed him more. He came down that evening to support the Motion of his hon. Friend the Member for Montrose; he regretted that that Motion was not made. He was not in the House to hear the reasons that induced the hon. Member to withdraw it. If Ministers would make such a proposal as they had submitted to the House, let them take the responsibility of it. It was not his hon. Friend, but Ministers, who should suffer for it. Let them only reflect; it was but a few weeks back, before Christmas, that the House was called together to consider of the dreadful condition in which the commerce of this country was involved—of the sufferings of all classes of the community—of the threatened bankruptcies of merchants—of the failures of bankers—of the loss of work and wages by workpeople. Immediately after Christmas, within a few short weeks, what was the proposition? Was there any attempt to reduce the burdens of the country? No. A new proposition was made to increase the pressure upon an already impoverished people. If Ministers had applied their minds to the subject, was it not possible for them to have found that retrenchments could have been made in some of the public departments? His opinion was, that there was no difficulty whatever in bringing down the expenditure to the income of the country, as that income was at present constituted. It was all fudge to talk about war with France or any other country. Suppose war were to come, and that they

were not prepared for it. How soon could they get prepared for it? But where was it to come from? Did not Ministers see that the people of foreign countries were too actively engaged in improving their own domestic institutions to desire to go abroad to destroy the institutions of other nations? War was a game at which Government would never be allowed to play if the people were wise; and, as intelligence throughout the world increased, they were getting the best security for peace, and that security was increasing. War was the merest bugbear, fudge, and nonsense possible—he knew not how to express himself in appropriate terms in regard to the folly of such a conception having entered into the heads of Ministers. There was not the remotest chance or prospect of foreign invasion; and yet, at peace with all the world, it was proposed to increase our naval and military armaments—at least our expenditure was to be increased; and how was it to be done? By increasing a tax that was a robbery on a large class of the people. A tax to be just should be equal, and a man ought to be called upon to pay it in proportion to his means. But the income-tax pressed most heavily on the poor man, whilst the property-tax, as at present constituted, scarcely touched the rich man. In all taxation they ought to press heavily upon wealth before they touched poverty and industry; but the income-tax, as it was now constituted, was one of the vilest and most iniquitous imposts ever placed upon the industry and ability of a country. Since he had come to town that afternoon, he had received a letter from one of his constituents, who, upon this subject, made a case which the noble Lord ought to be aware of before he came forward on Monday and asked for a confirmation of the proposal contained in his budget. But the noble Lord and his Government had already given way to a very considerable extent, in making a proposal for the appointment of a Select Committee to investigate this matter, and he considered that the budget was given up. They were not to have it as an entire proposal; and he trusted that by Monday next, as the public would have sat in Committee upon the proposal before that day, the noble Lord would come down to the House with a new proposition, and would spare the House the pain of discussing this extremely disgraceful one. But this was the letter he had received, and he begged the attention of the House to the simple manner in which the writer put his own case:—

"Sir—Will you allow me to say a few words to you, as one of the representatives of the borough of which I am an inhabitant as well as one of your constituents, on the subject of the income-tax, as bearing so heavily on persons in my situation, and which, from Lord J. Russell's speech last night, it is sought to augment to a fearful degree, as affecting persons so situated as myself; and to request your strenuous opposition to the re-enacting of so obnoxious a tax, particularly in its proposed altered form? I am one of a class of persons who have succeeded, after many years of exertion, in obtaining an income exceeding by a few pounds the sum which makes me liable to the payment of this impost. Its operation in my case may be taken as an illustration of hundreds of others. I have a wife and children. I have to maintain my wife and self in decent respectability, and to supply the wants of both the bodies and minds of my children; this I do, and as long as health is given me, I may hope to continue to do so. But my income is dependent entirely upon the continuance of my health; and should I die (except a small sum, to secure which I have annually further to reduce my heavily-taxed income), my wife and children would be left entirely destitute; and yet I am called upon to pay from this precarious source as much as the man who has 5,000*l.* in the Funds, or property to that amount, of which no contingency can deprive him, and which will remain to support his family should he die! A Government seeking to preserve people from indigence, and to enable them to maintain their independence, would encourage as much as possible the practice of saving something from their present income to provide for future wants; but this tax assumes that the future is the same with all, and that the income, a portion of which should be devoted to the demands of a future day, is as fair a subject for taxation, and should be called upon to yield up as much for the wants of the State, as the income upon which there are no provident claims—an income derived from property, which, indeed, testifies for itself that the owner is in possession for himself and posterity of a decent independence. Is this fair? Ought one to be expected to pay without discontent a tax which thus confounds appearances with facts, and makes a man with 150*l.* pay as much as another man with 5,000*l.*? These facts will probably induce you to become the advocate in the House of Commons of persons similarly situated as I am—a class of persons who perhaps are without an advocate; and, should you fall into these views, your advocacy in the House of Commons might do a great deal to open the 'mind's eye' of persons who might by their influence and example effect so desirable an object. I would just add, that during the first three years of this tax, it cost me upwards of 100*l.* for medical attendance, &c., all of which I have had to pay out of my small salary, as well as the income-tax, assurance of my life, assessed taxes, &c."

But the noble Lord was himself an opponent of the tax; he strenuously resisted the imposition of it when it was proposed by the right hon. Gentleman opposite; and the noble Lord has not adduced one argument or reason to show that his opposition at the time was founded upon injustice, or

that it was irrational. He would ask whether the House was disposed to do justice with reference to taxation? and, as a great many hon. Gentlemen opposite were attached to the principle of a sliding-scale, he would ask why they should not have a sliding-scale here, and why the people should not be taxed in proportion to their means? But, instead of that, hundreds and thousands of industrious men, with incomes derived from their own industry and exertions, were called upon to pay this tax; whilst others of a great amount of property were entirely excused. In many respects, the Government could not be aware of the manner in which this tax fell upon the poor. Take a man with 150*l.* a year, keeping a servant boy or girl at 4*l.* or 5*l.* a year, to discharge a great deal of the household work. As soon as he found he was to lose 7*l.* 10*s.* by this tax out of his income, he and his wife, calculating the manner in which they could make their expenditure meet their income, determined to discharge the servant. The poor creature is sent home to a distressed family, and thus misery is produced to two families by a single act of the Government, and that act an unjust one. He trusted that the noble Lord would be induced to reflect seriously on the nature of the proposal before Monday next, and would then propose some modification of it. He would beseech the noble Lord not to throw the country into agitation and angry discussion by persisting in raising this tax to 5 per cent; or, if the noble Lord thought it right for the public service, let him increase the tax to 5 per cent on real property only. But if the noble Lord was desirous, as a reformer, of acting upon public opinion, he would abandon his proposition on Monday, and propose some other in its place.

Vote withdrawn.

Mr. WARD moved the sum of 800,000*l.* for the wages of seamen for the ensuing year. Having heard so many animadversions made on the estimates proposed, he would state that nothing could be more gratifying to the Admiralty than to have the opportunity of submitting those estimates to the closest investigation, and every item of them to calm discussion; and, if any saving could be suggested, they would have no hesitation in adopting it. There was an addition to the estimates this year for the marines; but it arose from taking the vote for twelve months, whilst last year it was taken only for six. Every First Lord of the Admiralty for the last ten years—Lord Minto, Lord Ellenborough, and Lord Auckland—had been of opinion that the marine force of 10,000 was not strong enough, and that it was advisable to add 3,000 men to the force. The House had last year assented to the vote of an additional 1,500 marines without comment; and the Government asked now for the other 1,500 men. He had certainly not expected the storm that had broken over their heads, for proposing a vote which it was announced last year would be required. With respect to the expenditure of 30,000*l.* for improving the condition of officers and petty seamen after a long term of service, it had been forced upon the Government from the other side of the House.

Mr. B. OSBORNE said, he did not remember what had passed last year when the Naval Estimates were before them; but the House was very neglectful of its duty as far as passing the estimates was concerned. He did not profess to be conversant with naval affairs, but he was prepared to say that a reduction of 500,000*l.* might he made in the Naval Estimates without injury to the service, or diminishing the number of seamen employed.

Sir H. WILLOUGHBY wished to know whether the 420,000*l.* China ransom-money detained at the Cape was to be deducted from the 1,300,000*l.* which represented the expenses of the Caffre war?

The CHANCELLOR of the EXCHEQUER said, the 420,000*l.* China money detained at the Cape was paid into the Commissariat chest; and, not having been remitted, he was unable to draw upon the Commissariat for that amount. When the 1,300,000*l.* should be voted by the House for the expenses of the Caffre war, the sum of 420,000*l.* China money would appear as a portion of the income of this year.

Lord G. BENTINCK: His hon. Friend had asked whether the noble Lord had given the nation credit in his financial statement for this 424,000*l.* China money? He (Lord G. Bentinck) thought the noble Lord had not done so, and, if that were the case, there would be a surplus of that sum beyond what appeared in his statement. If it were not irregular he should like to ask the right hon. Gentleman whether, when the noble Lord made his financial statement, he had taken credit for the duties on corn which would be received between the 1st of March, 1848, and the 1st of February, 1849, when the Bill of 1846 came into operation.

The CHANCELLOR OF THE EXCHEQUER: With regard to the China money, credit would be given for it in the income of the present year, ending April, 1849. He expected to have received it early in the summer, and if it had arrived it would have appeared in the accounts ending the 5th of January. Credit had been taken in the estimate of 19,750,000*l.* for the Customs duties, by his noble Friend, for the probable receipts of corn between March 1 and the month of February in the next year.

Vote agreed to, as two were other votes.

MR. F. MAULE moved for a part of the sum which would be necessary for the land forces. The total sum required was 3,836,000*l.* He proposed to take a vote for 1,800,000*l.* on account, leaving 2,036,000*l.* to be voted hereafter.

MR. OSBORNE objected to so large a vote being taken, and would move that only 500,000*l.* be voted upon account. It was thought that the Army Estimates would not come on to-night, and that those for the Navy would alone be taken. The affairs of the Government appeared to be in a very uncertain and unsatisfactory state. There was not one single Member who appeared to know what was to happen. He was astonished to hear that the Chancellor of the Exchequer was to move for a Secret Committee to which the Navy Estimates were to be referred. If the Government would grant a Select Committee to inquire into the public expenditure of the country, some beneficial result might follow. The House would not be doing its duty to the public by voting 1,800,000*l.* on account for the land forces, and he would move to reduce the sum to 500,000*l.*

COLONEL SIBTHORP would vote with the hon. Member for Middlesex, if they went out alone. The House was asked to vote money before they knew where it was to come from. The Government asked for money on account, and the House was weak enough to grant it; and then when once the votes had been passed, should any explanation be required, it would be asked for in vain. He wondered that the House should submit to such treatment. He protested against the proceeding as a dangerous precedent, and it proved to him that the Government were ashamed or afraid to give the account they were bound to do before coming to the House for the votes.

MR. F. MAULE said that the Government had asked for such a portion of this vote as was absolutely necessary for the public service, and no more. The sum asked for was not a moiety of the entire vote.

MR. HERRIES said he had heard from the Government the assurance that it was necessary for the public service some advance should be made, and he knew that the sum now proposed fell very far short of what must be voted. Under these circumstances he could not concur in any step calculated to impede the public service.

MR. HORSMAN appealed to his hon. Friend the Member for Middlesex to withdraw his Motion after the distinct statement of the Secretary at War.

MR. B. OSBORNE did not wish to persist against the general impression of the House, and if the right hon. Gentleman said it was positively necessary for the public service that 1,800,000*l.* should be voted that night, he would give way.

Vote agreed to.

House resumed.

PUBLIC HEALTH.

VISCOUNT MORPETH moved the Second Reading of the Public Health Bill; he hoped that the House would consent to the second reading now, on the understanding that a fair interval should be given for the consideration of the clauses.

MR. URQUHART said, he would not oppose the second reading of the Bill; but he thought it tended to increase that mode of foreign government which was known by the name of "centralization." He reserved to himself full power of objecting, in Committee, to all clauses which seemed to him to have such a tendency.

MR. WAKLEY said, the noble Lord was aware that medical men had made great exertions with respect to sanitary measures—that they had applied unremitting industry, great ability, and incessant labour to this important subject. And how were they rewarded? As usual, the lawyers who drew this Bill had excluded from it everything relating to medical officers. Now the lawyers never missed an opportunity of getting their own body into places; but it would scarcely be credited that in this Bill relating to the public health there was not a single provision for the introduction of medical officers. He had no doubt there were lawyer candidates twenty feet deep, for all places that could be filled by lawyers; but, from the way in

which the medical practitioners were treated by the Bill, they might regard themselves as insulted, not by the noble Lord, who took an interest in medical matters, and was a supporter of an institution in the metropolis; but which, however, medical men did not very much admire. In this Bill the noble Lord had suddenly mesmerised the medical profession. Under this Bill the general Board of Health was to consist of five persons, the Chief Commissioner of Woods and Forests, and four others, two of whom were to be paid. Would the noble Lord object to the introduction of a clause providing that the two who were to be paid—who were to do the work and ought to be men of ability and knowledge—should be duly qualified members of the medical profession?

Viscount MORPETH said, he was glad of the opportunity of explaining a misapprehension which he believed prevailed; he had heard the same objection which now came authoritatively from the hon. Membe. He could not admit that the medical profession were slighted; for, in the first place, the Bill gave power to the Treasury of appointing such a number of superintending inspectors as might be thought fit; and from the nature of the thing a considerable number of them ought to consist of medical men or engineers, as circumstances might require. Then the Bill gave power to the local boards to appoint officers to carry out the provisions of the Bill, who might be medical men. With respect to the two members of the general board in London, it was the determination of the Government, if called upon, to exercise a choice, to select the two fittest men they could find, and he could not bind himself by any more stringent declaration as to who they might be.

Lord DUDLEY STUART did not rise for the purpose of offering any opposition to the second reading of this Bill; on the contrary, he was convinced that some measure for promoting the public health and providing for those objects which the Bill contemplated was imperatively requisite. The subject, however, was too important to be discussed in so thin a House; and it was his opinion, that if it had not been for what fell from the right hon. Baronet the Secretary of State for the Home Department, who was understood to say that the Bill should not be considered that evening, although it stood in the list of Orders of the Day, the House would have been in a very different condition. He was quite ready to give his noble Friend at the head of the Woods and Forests every possible credit for the ability, the diligence, and the perseverance he had displayed in preparing this measure; but there was one part of his noble Friend's conduct which he did not quite understand. The noble Lord declared that it was not his intention to make this Bill applicable to the metropolis; and yet on being asked to introduce a clause, similar to that which there was in the Bill of last year, exempting the metropolis, he declined to do so. Why should the noble Lord object to bring in a clause, the object of which was to give effect to his own intentions? The hon. Baronet his (Lord Dudley Stuart's) Colleague, had, however, given notice of his intention to move such a clause. He hoped he would persevere in it; and he should have his (Lord Dudley Stuart's) best support.

Mr. HENLEY was glad that steps had at last been taken to ensure good sanitary legislation; but he was afraid that this Bill was not a hopeful one, and that it would not get on well. The clause relating to powers of appeal would, he anticipated, occasion the noble Lord some difficulty when it came to be discussed in Committee. There was no use in concealing the fact that some dissatisfaction had arisen on finding that the country districts would be dragged in to pay the expenses of the towns with which they had nothing to do. This would be pointed out as a serious objection to the measure, and he trusted that the noble Lord would reconsider the matter. There was no doubt that the Bill would be productive of a large amount of public good, but it would require some amendments.

Bill read a second time.

PASSENGERS' BILL—EMIGRANT VESSELS.

Mr. LABOUCHERE moved the Second Reading of the Passengers' Bill.

Mr. HUME considered it absolutely imperative on the House to adopt some such measure as this for the prevention, in future, of the sufferings to which emigrants to Canada and other countries had hitherto been exposed in the crowded and badly-arranged emigrant ships. He found that during the last emigration season to the Canadas, the mortality on the whole number of emigrants had amounted to between 17 and 18 per cent—death in most cases being attributable to fever brought on while on board ship; and it was a well-

known fact that the mass of those who were landed were left in a state of utter destitution, and that through them the seeds of disease were spread through the whole colony. The evils which were thus occasioned arose entirely from the want of proper regulation in the emigrant ships, and he was glad that means were now proposed to be taken to remedy such a state of things henceforward. He hoped that his right hon. Friend would endeavour to simplify legislation on this matter; and if he repealed the two Acts which now existed, and consolidated their provisions into one measure, the public would be better satisfied, and the law would be much more intelligible. An improved mode of ventilation in the emigrant vessels was the first requisite, and it was recommended by those best acquainted with the subject that the cook-room should be always fixed on the second deck, in order that the passengers might have, as they now had not, ready access to the hot water, &c. Every precaution ought to be taken to secure the necessary comforts and conveniences to the unfortunate people who were driven by poverty from our own shores, and compelled to seek a livelihood in other countries; and no vessel ought to be allowed to clear from harbour here until it was proved on inspection that she was safe, properly fitted up, and in her cabin accommodation well ventilated. The hon. Member referred to letters from the Members of Council at Canada, describing the condition of the emigrants on arrival out from Ireland last year. It was disgraceful to this country that she had ever permitted such evils to continue unnoticed. We had by our neglect inflicted serious injury on the inhabitants of our own colonies in introducing annually among them fever and disease; and if the House had any regard to humanity or to the sufferings entailed in this way on helpless fellow-creatures, it would at once take the matter into consideration.

MR. LABOUCHERE said, he had listened with great satisfaction to his hon. Friend, and he entirely agreed with him that it was the bounden duty of that House and of the Government to apply themselves most earnestly to prevent if possible a recurrence of the dreadful calamities which the system of emigration to North America, especially from Ireland, was accompanied by during the last year, both to the emigrants themselves and the colonists. He thought the colonists would have every reason to complain if this country did not take care to prevent a recurrence of the scenes of last year, and which had the effect of depriving them of some of the most valuable lives in the community. Lord Elgin, writing on this subject, after describing the general prosperity which he (Mr. Labouchere) was happy to say prevailed in Canada, proceeded to remark, that he was compelled to make a considerable deduction from the favourable character of the report on account of the distress and suffering occasioned in the province by the emigration of the present year; that its disastrous consequences were felt not only in the large towns but even in remote hamlets; that the subject had been forced on his attention in every part he came to through the province; and that he regretted to say he found a disposition prevailing, to contrast the sufferings experienced by Canada, as a province, compared with the immunity enjoyed by the States, who were able to take care of themselves. He would beg leave to remind the shipowners that it was impossible for this country to prevent the North American Colonies to take what steps they might find necessary to protect themselves, if Parliament here neglected to adopt measures for saving the colonists from a recurrence of such dangers. In order to show the necessity of legislating on the matter, he need only state the one fact, that in former years the average mortality among emigrants to Canada was not more than a half per cent, whereas last year it amounted to the frightful rate of 17 per cent. It was true that that proportion did not perish in the vessels, but they died either on the voyage or in quarantine, or in the hospitals immediately after arriving. Such a state of things deserved the most serious consideration of Parliament; and he should deeply regret if the emigration of the coming season—which, he might remark, promised to be quite as large from Ireland as it was last year—was allowed to go on without the House doing what it could to prevent a recurrence of evils so shocking to humanity, and so destructive to all sound policy in matters of the kind. He was aware that a great cause — perhaps the principal cause—of the sufferings of last year, was one against which it was impossible for them to guard by legislation, namely, the prevalence of fever in Ireland during the last season. The emigrants brought the seeds of fever out with them, which it was impossible to discover until

after the ship had put to sea; but if any hon. Gentleman would look to the evidence that had been laid on the table of the House, he would see that that cause had been infinitely aggravated by the course of mismanagement which had been pursued, and by the want of any proper regulations or control in the vessels into which these unfortunate creatures entered. In this state of things the Colonial Office, and more especially the Commissioners of Emigration, had applied themselves seriously to consider what alterations in the law had been best to recommend for the adoption of the House. The result was the Bill which he had the honour to submit to the House. The main alterations which it proposed in the existing law were—In the first place it proposed to increase the space allotted to the emigrants on board from ten feet for each person to twelve feet; but even then the British law would be less restrictive than the American law, which provided that a vessel could carry only one for every fourteen feet. Another point on which he thought it right to introduce an alteration in the law was that which provided that a certain quantity of food should be carried for each emigrant. The quantity was by no means sufficient for the support of an emigrant during the voyage, as it was expected that the emigrants would always bring some food for themselves. During last year, however, it was found that in the unfortunate position of Ireland whole crowds threw themselves almost without any food into the vessels, relying entirely upon what they might get on board. This alone was sufficient to account for the dreadful state of things that had been reported to the House in the papers lately presented. One very important alteration was proposed to be made in this respect: it was that emigrant ships to America, like those to Australia, should be provided with a sufficient quantity of food to sustain the lives of the passengers. He came now to the provision which had excited the greatest alarm among the parties interested in emigrant vessels, namely, that each ship should carry a respectable Government officer to protect the emigrants by seeing that the regulations for the voyage were properly enforced, and if necessary to complain of the conduct of those who had violated them upon the arrival of the vessel at its destination. Many of the emigrants who had arrived bore most abundant proof that no care was taken on board to observe the law; they were afraid to make complaints, and he feared that whatever laws might be made, the emigrants had no redress. The Government officer and superintendent, however, would attend to these complaints—he would attend to the proper ventilation of the ship, and provide for decent habits of cleanliness and some moral restraint among the emigrants—both of which had been sadly wanting in some instances that had come under his notice. A proposal had been strongly urged upon the attention of the Government, which was most deserving of consideration. It was that every emigrant ship should be obliged to take out a surgeon. He wished he was in a condition to recommend with confidence the House to pass an enactment of this kind, for he admitted that not even the respectable persons to be appointed superintendents, who would be taken generally from the warrant officers in the Navy, would be sufficient. His noble Friend the Secretary for the Colonies had been most anxious to make such a proposal; but, after the fullest inquiry, his noble Friend and the Emigration Commissioners had come to the conclusion that it would not be possible to find surgeons for so great a number of emigrant ships as were expected to sail this year. With these opinions, expressed by competent medical authority, the Government had reluctantly abstained from proposing that every emigrant ship should be obliged to carry a surgeon; but he was not without the hope, if the House sanctioned the regulation for taking out Government superintendents, that that would be the means of inducing captains to carry surgeons in their vessels in far more instances than they did at present. It was the intention of the Emigration Commissioners and of the Colonial Office, in cases where the vessel carried a surgeon, to appoint the surgeon to be the superintendent, by which the expense would be a very slight addition to that borne by the captain. The cost of the superintendents would be made as light as possible consistent with the objects of the Bill. It would be, as at present proposed, 20*l.* and 1*s.* per head, on taking out the emigrants, which would have to be defrayed by the owners of the vessels; but the Government would undertake the charge of bringing back the superintendents, which he estimated at not more than 10*l.* It was of importance that this measure should come into operation before the emigration season commenced; and having that object in

view as well as the efficiency of its provisions, he should propose that the Bill be referred to a Select Committee, from which he hoped it would be presented to the House in a shape which would prevent any lengthened discussion on its future stages. Before he sat down he would read an account of what had actually taken place last year on board one of the emigrant ships for America—an account contained in a private letter, but which the Colonial Office thought of so much importance that it would be made a public document, and presented to the House. The letter was written by an Irish gentleman of station and family, Mr. Stephen De Vere, brother of Sir Aubrey De Vere, who, having occasion to go to British North America, and knowing that some emigrants from his own part of Ireland were going out, actuated by the most honourable and humane motives, determined to go himself in the condition of a steerage passenger, that he might make himself personally acquainted with the condition of the steerage passengers when crossing the Atlantic. The picture drawn by this gentleman of what had actually taken place, afforded the strongest evidence of the absolute necessity of some more stringent regulations than those which now existed:—

"No moral restraint is attempted; the voice of prayer is never heard; drunkenness, with its consequent train of ruffianly debasement, is not discouraged, because it is profitable to the captain, who traffics in grog. In the ship which brought me out from London last April, the passengers were found in provisions by the owners, according to a contract, and a furnished scale of dietary. The meat was of the worst quality. The supply of water shipped on board was abundant; but the quantity served out to the passengers was so scanty that they were frequently obliged to throw overboard their salt provisions, and rice (a most important article of their food), because they had not water enough both for the necessary cooking and the satisfying of their raging thirst afterwards. They could only afford water for washing by withdrawing it from all the cooking of their food. I have known persons to remain for four days together in their dark close berths because they suffered less from hunger, though compelled at the same time by want of water to heave overboard their salt provisions and rice. No cleanliness was enforced, the beds never aired, the master during the whole voyage never entered the steerage, and would listen to no complaints; the dietary contracted for was, with some exceptions, nominally supplied, though at irregular periods, but false measures were used (in which the water and several articles of dry food were served), the gallon measure containing but three quarts, which fact I proved in Quebec, and had the captain fined for. Once or twice a week ardent spirits were sold indiscriminately to the passengers, producing scenes of unchecked blackguardism beyond description; and lights were prohibited, because the ship, with her open firegrates upon deck, with lucifer matches and lighted pipes used secretly in the sleeping berths, was freighted with Government powder for the garrison of Quebec. The case of this ship was not one of peculiar misconduct; on the contrary, I have the strongest reason to know, from information which I have received from very many emigrants, well known to me, who came over this year in different vessels, that this ship was better regulated and more comfortable than many."

It was fortunate that the House was able to have the testimony of so competent a witness as this gentleman. He (Mr. Labouchere) believed what was here said was true, and by no means a single instance. It showed that any legal provisions, without a Government officer to see them carried into effect, would be nugatory and ineffective. With regard to the question of his hon. Friend the Member for Montrose, whether he would take this opportunity to consolidate all the Passenger Acts into one, he agreed that as a general proposition it was desirable that Bills of this kind should be compressed into a single statute, rather than scattered over three or four. On the other hand, as the subject was very pressing, and it was expedient that the law should be settled soon, he considered he was acting prudently in not undertaking to consolidate all the existing Acts.

Mr. M. J. O'CONNELL was unable to understand why this Bill should be hung up in Committee, except Select Committees were so much in fashion that Her Majesty's Ministers could do nothing without them. The value of the measure consisted in its being carried rapidly, because the season for emigration had already begun. Indeed there had been a winter emigration, for since November last 4,000 persons had emigrated to Canada. He was glad the Emigration Commissioners and the Board of Trade were attending to this matter; but unless the owners of emigrant ships could be bound not to oppose it, as he believed they would, the Bill would have to be discussed in the House, as well as in Committee. Indeed, unless Her Majesty's Ministers were not satisfied with their own measure, he could not understand what object would be gained by sending it to a Select Committee upstairs. The cases quoted by the right hon. Gentleman proved the necessity of strong regulations; and he hoped that no mongrel notions of free trade would stop the progress of the Bill. He hoped there would be no free trade in pestilence, for many emigrant vessels, underlet as they had been, conveyed double

destruction—destruction to those on board, and in many instances to those on whose shores they landed, some of which were not under the sway of the British Crown. The ordinary number of deaths was stated to be 17 per cent; but he believed it would be four or five per cent more if the mortality was taken into consideration that occurred in the colonies themselves. He was glad to see the right hon. Gentleman direct his attention to the quantity of room to be afforded to each emigrant, to the food, and to the superintendence. With regard to the food there was generally a want of variety, which was the cause of many diseases on board. He approved of the inspection; but unless it was strictly enforced, owners and masters would set it at nought; and he thought the Bill would be improved if it provided for a better inspection of the seaworthiness of vessels. As to consolidation, he hoped the right hon. Gentleman would not try it yet; let him secure this Bill, and try to consolidate about the end of the Session.

Sir G. GREY admitted the importance of the Bill passing as rapidly as possible; but its consideration by a Select Committee would involve no delay. The object of the Select Committee would not be to take evidence, and two days would be sufficient time for them to consider the measure. It was undesirable, however, to pledge the Government to meet the views of the hon. Member for Montrose, as to the consolidation of the several Bills on this subject. It would be wiser first to pass this measure, and then direct attention to consolidation. Any other course would create delay, and cause matters to remain as they were.

Mr. VERNON SMITH was in favour of consolidating the different Acts, but believed a measure of that nature would not pass if it were delayed till the end of the Session. Neither did he think this Bill calculated to check or stint the emigration now going on from Ireland; and he hoped that shipowners, however stringent the regulations might be, would consider that the loss of one ship was much more calculated to deter emigration than those regulations. With regard to the superintendence, if the superintendent was not a surgeon he could not see how he would be available. How could the superintendent be invested with power, if he were not a surgeon? Unless he were a man with authority his office would have no value, and the captain would have him under his control the whole voyage. If his right hon. Friend looked at some of the cases which had occurred, he would find there had been a great deficiency in the number of emigration agents at the different ports. He hoped, therefore, that the Emigration Commissioners would appoint more emigration agents at the outports, to inspect the ships before they started, and to look after and provide for the emigrants on their arrival.

Colonel CONOLLY thought the provisions of the Bill were as perfect as they could be under the circumstances of the case; and on the part of his constituents he felt bound to thank the right hon. Gentleman for the enactments of the Bill, and for the pains which he had taken to see those enactments carried out. He also begged to thank the right hon. Gentleman the Member for Northampton (Mr. V. Smith) for his suggestion relative to the independence of the superintendent, which he thought well worthy the consideration of the Government. He trusted the Bill would be cordially received by the poor of the country, for whose benefit he was sure it was intended.

Mr. WAKLEY thought the present system of emigration was highly discreditable to the Government and to the Legislature. It had been officially stated by the right hon. Gentleman (Mr. Labouchere) that deaths had occurred in emigrant ships to the extent of seventeen per cent. The Emigration Commissioners might be justified, by the evidence they had received, in making the report they had made to the House with regard to the difficulty of providing surgeons for emigrant ships; but this subject had been under the consideration of the House last year; and he then said, that if surgeons were adequately paid, there would be no difficulty in obtaining their services. The Emigration Commissioners, however, had derived their information from some of the most eminent men in the profession, who unfortunately knew nothing of the subject. He believed that no persons could be more efficient as superintendents of emigrant ships than medical practitioners, who were men of good education, who were fully aware of the necessity of preserving discipline, and who were well acquainted with the requisites for ensuring the comfort and health of the passengers. But was it likely that legally qualified members of the medical profession could be obtained as surgeons to emigrant ships for 20*l.* a voyage, with the prospect of some 10*l.*, 15*l.*, or 20*l.*, which

might be given them by the owners in addition to that miserable stipend? The average duration of the voyage was six or seven weeks; and for a voyage outwards of seven weeks, and homewards of seven weeks, the surgeon was to receive 20*l.*! Why, it was preposterous to suppose that competent medical men could be obtained for so paltry a pittance. The right hon. Gentleman must be aware that as the persons who chartered emigrant ships did so as a pecuniary speculation, their object was to get everything done at the lowest possible cost; and he considered that the Government ought to step in and to insist that proper measures should be taken to insure the comfort of the miserable beings who were compelled to leave this country to seek a subsistence in a foreign land. The Government, however, had not struck at the root of the evil; and he was satisfied that without placing in every emigrant ship a competent medical practitioner, it was impossible to remedy many of those evils which had been deplored by the right hon. Gentleman who introduced the Bill. He regretted to express his conviction that this measure fell far short of what the unfortunate people of Ireland and the public had a right to expect; and he hoped the right hon. Gentleman would reconsider the subject with a view of ascertaining whether, by adopting proper measures, it was not possible to obtain a sufficient number of competent medical practitioners. In connexion with the three medical colleges in England, Ireland, and Scotland, there were not less than 17,000 surgeons, besides licentiates of the various colleges of physicians of other societies; and he was satisfied that if a proper remuneration was offered no difficulty would be experienced in obtaining the services of duly qualified medical men. He wished to state, however, that these services were not likely to be obtained for such a reward as was offered by the Government last year to the medical officers of fever hospitals in Ireland. Would the House believe that the pay of physicians and surgeons, whose duty it was to attend persons suffering from typhus fever in the fever hospitals of Ireland, had been 5*s.* a day? And what had been the mortality among those men? One in fifteen had fallen victims to the discharge of their perilous duties; and he hoped if an appeal were made to that House by their widows and orphans, it would not be made in vain. He was convinced that if a proper inducement was held out, there would be no difficulty in obtaining a sufficient number of medical men as surgeons of emigrant ships.

Mr. W. BROWN observed, that the hon. Member for Kerry had stated that the only objection he anticipated to this Bill was from the shipowners. Now, he must plead guilty to being a shipowner; but no one could hail with more satisfaction than himself the introduction of this Bill, for no one could more strongly reprobate the practice which was generally adopted with regard to emigrant ships. He was only afraid that the clauses of the Bill would not be sufficiently stringent to prevent the awful sacrifice of human life which took place for want of arrangements which might easily be carried out in emigrant ships. He considered, however, that other matters connected with this subject deserved attention; for it was well known to every shipowner that the greater part of the ships employed in the Quebec trade in carrying out emigrants would never return with the weight of cargo they brought from Quebec, if it were not that the cargo carried the ship instead of the ship carrying the cargo. He thought, therefore, it was most advisable that emigrant ships should be subjected to proper inspection before they sailed.

Mr. BROTHERTON considered that all that could be done ought to be done to promote the comfort of emigrants; but there was one simple remedy for many of the evils that had been alluded to, which did not seem to have occurred to any hon. Member. He saw no great hardship in prohibiting all spirituous liquors from being taken on board emigrant ships. If the passengers were kept sober he would answer for it their health would be improved. The hon. Member for Finsbury (Mr. Wakley) was always recommending the employment of medical men of great talent; but his (Mr. Brotherton's) opinion was, that the best physicians they could employ were Doctor Diet, Doctor Quiet, and Doctor Merriment.

Mr. C. ANSTEY begged to express his thanks to the right hon. Gentleman (Mr. Labouchere) for the pains he had taken in the preparation of this Bill; but he certainly considered that the measure would not be altogether effectual in promoting the objects the right hon. Gentleman had in view; and he thought, therefore, it was most advisable that its provisions should be discussed in a Committee upstairs. There were one or two respects in which

he considered that the Bill was susceptible of improvement; and he might refer particularly to one of the last clauses, which provided that the measure should not apply to the description of passengers generally known as cabin passengers. He had had the misfortune to be a cabin passenger on board a vessel the greater part of which was appropriated to emigrants; and he might mention the plan which was adopted by the owners to evade the provisions of the Acts then in force to regulate the conveyance of emigrants. The part of the vessel appropriated to emigrants was under the main deck; and the after part of the ship was separated from the fore part by bulkheads of sufficient thickness to prevent the passage of bad air fore and aft. To make room for a greater number of passengers the whole of these bulkheads were removed, an entire communication was established throughout the vessel, and as many as eight men were introduced into one cabin as intermediate passengers. He considered, then, that unless very stringent provisions were adopted, interested parties would contrive to evade the provisions of the Bill; and he begged to suggest the propriety of altogether omitting the clause relating to cabin passengers.

Bill read a second time, and ordered to be referred to a Committee upstairs.

SHIPWRECKS ON THE SHETLAND ISLANDS.

Mr. ANDERSON called the attention of the House to the numerous shipwrecks, with the extensive loss of life, which occasionally occurred off the Shetland Islands, and to the great deficiency of coast lights on those islands. By an extract from Lloyd's books it appeared that no less than fourteen shipwrecks occurred from between the end of December to the 12th of February on those islands, the crews of seven or eight of which perished altogether. There was only one light on the islands; at least two other lights were required. Why were they not erected? It could not be for want of funds, for the Board of Northern Lights in Scotland levied a heavy charge on the shipping of the country for the purpose of maintaining lights on the coast, and they had a balance of upwards of 39,000*l.* in hand. The hon. Member expressed a hope that the Government would turn their attention to this subject, and concluded by moving for an abstract account of the amount of money levied by the Trinity-house and the Board of Northern Lights, Scotland, for the year 1847.

Mr. HUME did not wonder the hon. Member should have thought it his duty to bring the subject before the House. It was one which deserved the attention of the Government. The construction of the Board at Trinity-house, and of the Commissioners of Northern Lights in Scotland, was most objectionable. The members were tradesmen, lawyers, or civilians of some other description, with hardly a sailor amongst them. But the whole system of lighting on our coasts, and of light dues levied on English and foreign ships, was objectionable. The United States never made any charge on account of lights, while we levied a charge on the ships of all nations. He hoped soon to see the mercantile navy of this country placed upon as respectable a footing as the navy of America or any other country. There ought to be a national board in England as in every other country, and one uniform system of lights established in England, Scotland, and Ireland.

The LORD ADVOCATE would not on the present occasion say anything as to the manner in which the lights on the coasts of this country ought to be managed; neither did he intend to offer any opposition to the production of the accounts asked for by the hon. Gentleman. He was quite sure that the Board of Northern Lights would stand the test of any inquiry which the House might think proper to institute. They had just finished a lighthouse on the highway between England and America, at an expense of nearly 100,000*l.*, and they had expended every sixpence which they had in their possession. He did not mean to say that if they had funds, they should not build lighthouses; but at this moment all their funds were absorbed. The deficiency in their funds might be accounted for by the reduction which they had made in the dues receivable from shipping.

Motion withdrawn.

House adjourned at a quarter before Twelve o'clock.

HOUSE OF LORDS,

Tuesday, February 22, 1848.

Minutes.] Petitions Presented. From Okehampton, and several other places, against the Admission of Jews into Parliament.—From Protestants of Cavan, and several other places in Ireland, against the National System of Education (Ireland).—From Dodbrook, and several other

places, for the Imposition of the Severest Penalties on all Roman Catholic Priests who shall Denounce Persons from the Altar.—From Parish of Highworth, for Inquiry into the Existing State of Turnpike Trusts.—From Tessara (Roscommon), against further Concessions to Roman Catholics, and against the Law of Mortmain.—From Wolverhampton Board of Guardians, for the Enactment of Sanatory Measures.

THE SLAVE TRADE.

The EARL of ABERDEEN said: My Lords, I adverted yesterday to a return recently laid on your Lordships' table, containing an account of the number of deaths which have taken place in, and the state of health of, the squadron employed off the coast of Africa in the suppression of the slave trade during the last few years. This return has been moved for, I know not with what special object, but at all events it contains information which cannot but be highly important and interesting to your Lordships. At the same time, however, before your Lordships can form any just opinion of the services of that squadron, and of the real character and condition of that force, you must have other information than that contained in the return I have alluded to. The circumstances connected with the squadron, have been subject to much misapprehension in consequence of misrepresentation; and it is to remove this misapprehension that I have ventured to give notice of my intention to bring the matter under the consideration of the House. Among the various circumstances which have attended our recent commercial legislation, there is nothing which I have witnessed with more apprehension and concern than the partial change which appears to have taken place in the public mind on the subject of the abolition of the slave trade. I say "partial change," because I hope and believe that the great majority of the people of this country are as much disposed as ever to persevere in those laudable endeavours which have been made for the extinction of that odious traffic, and are resolved to adhere to that great object on account of which this country has hitherto, and justly, acquired the greatest credit and honour. Nevertheless, I hear suggestions made which a short time ago would never have been entertained or thought of for a single moment; and those suggestions are of the greater importance because they proceed from quarters which are supposed —I know not with what truth—to speak, more or less, the sentiments of Her Majesty's Government—to sympathise with their opinions, and to share their views. It is, therefore, of great importance that no doubt should prevail on this subject, and that we and the country should know what are the real intentions of Her Majesty's Government upon this most important and interesting subject. Having been absent in a distant part of the country at the meeting of the present Parliament, I had not the advantage of hearing my noble Friend, sitting on the bench below me (Lord Stanley), on the first night of the Session; but he is reported to have made a declaration on that occasion which he will forgive me for saying was one that, in my opinion, he could not fully have considered. I have acted with my noble Friend as a Colleague for several years, during which time, with one exception—and certainly that was an important exception—I am not aware that we entertained any difference of opinion. Certainly, in all matters connected with measures for the abolition of the slave trade, on which, from the nature of our offices, we were necessarily brought into frequent and close communication, not a shadow of difference ever existed between us. It was not, therefore, without some surprise that I was informed that my noble Friend had declared, that such was the impression made on his mind by the accounts of the horrors of the middle passage, and so deeply did he feel the loss of life attending the extertions of our countrymen employed off the coast of Africa in the suppression of the slave trade, that he would willingly see the force so employed recalled. My noble Friend is perfectly well aware that the horrors of the middle passage have always been held out as a great inducement to permit the existence of the slave trade; and, no doubt, if the trade were permitted, the condition of those unhappy beings who are the subjects of it would be infinitely better than at present during the passage. Their condition would then be improved for the sake of their owners, who undoubtedly would treat them with more indulgent consideration than they can at present, consistently with a regard to the security of the slaves; for, as the chances of the capture of these slave vessels increase, precisely in the same proportion are the sufferings of these unhappy wretches augmented; and as these chances are lessened, so are their sufferings diminished. The only consolation we can have in executing these measures of suppression, is to know that the number of the

slaves subject to the ordeal of the middle passage is greatly diminished, and to hope that in no long time we may see a cessation of the slave traffic altogether. But with respect to the health of our squadron, there is no doubt that on this subject the greatest exaggeration and misrepresentations have taken place. Undoubtedly the climate and swamps on the coast of Africa are injurious to health and life; but with due precaution the climate on the coast of Africa is not at all more unhealthy than any other tropical climate. The return on your Lordships' table shows that the loss of life in the squadron has been exaggerated to a degree scarcely credible; and if due precautions are taken, the amount of deaths occurring is not greater, as I have before stated, than might be expected in any other tropical climate. Taking the year 1847, if the last six months should prove not more fatal than the first six months (the returns for the latter period being the latest received), the loss in the squadron in the course of the year would be considerably less than two per cent for the year. This is not such a loss as should make the country abandon efforts having so important an object in view. I may mention that, from the account of a vessel employed in this service, which has recently arrived in our ports, it appears that the health of the squadron off the coast of Africa is such as need not give rise to uneasiness in any one. The noble Earl here read the following account, dated the 14th of November, from Portsmouth :—

"The *Waterwitch*, 8, Commander T. Francis Birch, arrived at Spithead yesterday morning from the west coast of Africa station, where she has been enaged in the suppression of the slave-trade, chiefly on the Kabenda station. The squadron generally were exceedingly healthy. The cruisers had been very fortunate in captures in the Bight. The *Contest* had taken two recently in those waters. The *Waterwitch* has been especially vigilant in the search and capture of slavers, of whom she has taken twelve, and 1,060 slaves on board of them. The *Waterwitch* has been very healthy all the time she has been out, only having lost one man by sickness on board."

The loss of only one man through sickness on board during a period of three years, can, I think, give rise to no great uneasiness. Without due precaution being taken, a similar loss might occur in the Channel; but if such sickness can be prevented by due precautions, we have a right to expect that they will be adopted. Therefore, I contend, both from the return on your Lordships' table, and from general information of the state of the squadron off the coast of Africa, that there is nothing serious to be apprehended on the score of unhealthiness of the climate. Before the squadron was augmented to the present amount, I applied to officers the most experienced, and the best entitled to give an opinion to carry weight with the Government, for information on the subject; and every one of them to a man declared that, with due precaution, no apprehension need exist with respect to the health of the squadron. It is true that an unfortunate epidemic occurred on board of a single vessel; but it was confined there, and did not extend to other ships of the squadron; consequently, it could not be held that the squadron generally was unhealthy because of that single instance of an epidemic prevailing in one vessel. Notwithstanding all this, it may be said by some that the squadron so employed has failed in its object—that it has failed to diminish the extent of the slave-trade—and that we are making great sacrifices to extinguish it, but that the attempt is hopeless. I venture to say that such is by no means the case; that the system has been attended with great success; and that perseverance in proper measures for a short time would see it crowned with complete success. I will endeavour to show your Lordships in a few words the facts of the case. I shall, in the first place, move for an account of the captures made during the last three years. I am aware that the amount of the captures made affords no criterion as to the diminution of the number of slaves carried to the slave-importing countries. It is possible that a large amount of captures might be made, whilst an equal number of slavers might escape; and that thus the slave trade might be carried on, and a considerable number of unhappy victims carried off to those countries where there is a market for them; on the other hand, with a very small number of captures it may be that there are a still less number of escapes. Therefore the positive number of captures is no certain test of the extent to which the trade is or is not successfully carried on, or of the success attending the efforts of the force employed off the coast of Africa. But there is one test which is quite infallible, and that is the state of the slave markets to which these slave vessels are directed. If you find that no slaves, or a greatly diminished number, arrive in those markets, it is perfectly clear that the trade is successfully interrupted.

I would request your Lordships' attention to an account of a recent state of the slave trade. I recollect when, from the other side of the House a few years ago, I think in 1842, I made a statement, in which I certainly indulged in very sanguine hopes of the success of our endeavours for the suppression of the slave trade. I described the course of our proceedings, and augured from them the speedy termination of the slave trade. At that time General Valdez was Governor General of Cuba. He adopted an entirely different course of policy from his predecessor, and in the short period of his government, instead of the average amount of the slaves imported being 13,000, he had reduced it to 3,000. That was in 1842. Unfortunately General Valdez was recalled, and was succeeded by General O'Donnell, and in 1843 the importation of slaves rose to 8,000, and in 1844 to 10,000. At the same time Brazil also increased its import of slaves. Under these circumstances, it appeared to me impossible to trust to the co-operation of Spain and Brazil, and that it was absolutely necessary to make some new attempt to arrive at the successful suppression of the slave trade. Considering this matter, it appeared to me that if we could contrive to prevent the embarkation of slaves on the coast of Africa, we should of course at once put an end to the slave trade; and that, as slaves did not rise from the sea, the chief point to which to direct our attention was that coast of Africa from which they were all exported. While attending to this subject, and endeavouring to see how this might be made practicable, a paper was put into my hands, the author of which is a most distinguished and gallant officer, well known to your Lordships and the country for the vigour and effect of his services on that very coast where the slave trade originates. In this paper the plan which I had only desired myself, was fully detailed and developed in the most clear, admirable, and practical manner. The paper was prepared by Captain Denman, who, learning that I had the same object in view, communicated it to me. It was submitted to some gallant officers, fully competent to form a judgment on the subject; and they, after fully discussing the plan and its details, all concurred in opinion, that on the score of unhealthiness there existed no objection to its execution. There is, as it appears to me, every reason for adopting the plan of that gallant officer—every reason why the utmost efforts should be made to stop those communications which are so well known to be favourable to the prosecution of the slave trade. I may just take the liberty to remind your Lordships that it was during the year 1844 that the outlines of this plan were prepared; and that it was brought into full activity about the beginning of the year 1845. On the 1st of January, 1846, the Slave Trade Commissioners at the Havannah addressed a despatch to me, in which they stated that during the preceding year not more than six vessels had entered their ports, and that the number of slaves which they contained did not exceed 1,300. They stated that, in former years, many cargoes of slaves arrived, but that they had received no information during the past year leading them to suppose that more than one or two had arrived; and they believed that their great and constant attention, rendered more effective by their residing on the spot, would have enabled them to be aware of the arrival of any such vessels, if any there had been. The nearest approach that they could make to an estimate of the average number of slaves imported, was 1,300. This afforded great cause for satisfaction, for as many as 1,300 had formerly been imported in the course of one year; and even during the administration of Governor Valdez, the number was not lower than 3,000. So much for the operation of the squadron on the coast of Africa, as we can learn from the effect upon the trade with Cuba. The receipt and perusal of that despatch afforded me, I venture to assure your Lordships, much satisfaction, and induced me to entertain very sanguine hopes of success. I now come to the next year, 1846. On the 7th of October, 1846, the Slave Trade Commissioners in the Havannah announced that in their monthly report they had already stated that no ships had arrived with slaves from the coast of Africa, nor had they any reason to believe that any slavedealer, most of whom were known, had entered into any negotiation for that purpose; the price of negroes had therefore risen to an enormous amount, and scarcely any purchases of slaves had taken place. This despatch brings down the history of matters connected with the slave trade in that part of the world to the end of the month of November, 1846; and from that despatch it appears that there had not been a single importation of slaves into Cuba during the year 1846. The Commissioners in their despatch then went on to state, that there had been various

conjectures afloat on the subject, and attempts at the renewal of the trade with more or less success; but of this no particular evidence has, so far as I know, reached this country. With respect to Porto Rico, it does not appear that any trade is carried on; there is, I believe, no reason whatever to suppose that any trade is there prosecuted; and I think there is also every reason to believe that that satisfactory result is owing, not only to the vigour with which measures of prevention have been adopted, but also to the good faith and highly honourable character of the Governor, whose measures were in every respect calculated to carry out the principles which he put forth, and the motives by which he professed to be actuated. In the month of July, 1846, the Consul stated, that a vessel of rather a suspicious appearance had been seen, but that, with that one exception, the slave trade was suspended; and he further stated, that we might rest assured of the good faith of the Governor. In July, 1846, a communication was received by Her Majesty's Government to the effect that the slave trade had now no existence in Porto Rico. With respect to the Brazils, from the statements laid before Parliament, having reference to the year 1845, it appears that as many as 16,000 slaves had been imported in the course of one year. In this there is an amount of misery fearful to contemplate; but a yet more lamentable consideration arose out of the fact, that between the years 1835 and 1840 about 100,000 slaves had been imported. Upon that state of the trade even the falling-off to 16,000 was an improvement, and the other numbers which I have stated formed a still further improvement; thus I venture to say, that an important advantage has been gained. Further, I am inclined to believe that of the 16,000 a very considerable proportion was from the east coast, where the squadron of observation is not so efficient as on the west coast. I think, my Lords, I have now stated enough to show, that during the years 1845 and 1846, endeavours of the most zealous kind were made, attended by most gratifying success; but as to what may have been the state of things during the past year, it is most grievous to think of. Her Majesty's Government, no doubt, are in possession of full information as to the state and practice of the trade, as well in Cuba as in Brazil; and, though I am not in possession of any exact information respecting those places during the year 1846, I yet cannot avoid giving way to strong apprehensions that the returns respecting that year will display very different results from those which I have this evening been presenting for the consideration of the House. Independently, however, of the exertions made by Great Britain for the suppression of the slave trade, there are other circumstances of a more promising kind that offer themselves to our view, and which might have led us to hope that if the judicious plans of operation which have been proposed, had been perseveringly carried out, we should, by this time, have been in a situation to congratulate ourselves upon the full success of our endeavours. I repeat, that the hopes which we have been able to derive of late from the conduct of other Powers have been most encouraging. The ancient policy of Portugal, with reference to the slave trade, has been quite changed, and the Portuguese Government have been confirmed in that change by the treaties of 1842 and 1843. That Government not only discouraged the trade, if carried on by Portuguese subjects, but sent out a squadron to co-operate with ours in repressing the trade. It is also a gratifying fact that the Portuguese ships of war employed for this purpose made as many as eleven or twelve captures of vessels engaged in the slave trade; and in this statement I confine myself to what occurred before the year 1846, having no information subsequent to that year. I hope we shall be favoured with returns upon those points, that we may be able to see how far our expectations have been justified by the result. Thus much, however, I am happy to say, that the Admiral in command on that station bears his testimony most fully to the good faith as well as the zeal of the Portuguese officers. The Government of the United States also well deserve the thanks of every one interested in the cause of justice and humanity, for the manner in which they have proceeded against this evil traffic; they sent out a squadron in 1845, and captured six vessels engaged in the slave trade. They may have since that year made several other captures, of which, however, if there be any such, we have not received any correct returns. In addition to this I may state, that within the last few years the manner in which the French Government have co-operated with the enemies of the slave trade, is entitled to the highest approbation. This is a most important advantage. For many years the French Government did little more

than denounce in strong language the horrors of the slave trade; but this was nothing more than mere words. Now, however, they have sent out a squadron to co-operate with us; and that I consider to have been a most valuable and important change—a change much more advantageous than a continued exercise on the part of England of the right of search—a right, the exercise of which, under such circumstances, necessarily led to much disagreement, and to the discussion of questions most serious in their consequences. All your Lordships are well aware that we have no squadron on the coast of Africa sufficient for the suppression of the slave trade—our squadron was well known not to be sufficiently numerous. At first view it would seem that, in giving up the right of search, which had been so highly valued, we obtained no adequate return—that we got nothing in its place; the truth is, however, that the example of two great countries co-operating for such a purpose is a matter of the very highest importance. What those Powers did, consisted not of mere empty admonitions, but was a practical proceeding, directly tending to secure the object in view; nor was it attended with any condition injurious to the means necessary for a suppression of the slave trade. It formed a very valuable part of the French convention, and one well worthy the attention of Parliament, that it operated to the discouragement of slave factories on the coast. With difficulty have the provisions of that treaty been carried out; and if it had not been for the most active co-operation between the French and the English, those barracoons could not have been destroyed. Another advantage, also, of the treaty is this, that for all purposes connected with the suppression of the slave trade we required the cordial co-operation of a French force; and the whole of the force employed was thus enabled, under the joint instructions of the English and the French authorities, to accomplish objects which otherwise would be beyond their power; and it was practicable to do this in several places at once. In Senegal, for example, the French were enabled to maintain a black corps, in which they justly placed the fullest confidence, and which were able to execute any measures which the French and English authorities might think it expedient to direct. I confess that I am in some respects a little disappointed that results have not been produced in this quarter, which, from our experience in other places, we had reason to expect. I imagined that in every case instructions would have been issued for joint operations; but I venture to believe that eventually that hope will be realised. I hope also we may be informed as to what the French squadron has done recently upon the coasts of Africa. Before I conclude I must be permitted to say, that neither our intentions nor our measures have had fair play. At one time stimulus and encouragement have been applied; at another a totally opposite course has been in favour. I well remember the irrational views taken of this subject when the negotiations respecting the Treaty of Paris were going forward. I well remember Prince Talleyrand saying, with reference to this country, "I fully believe that you wish to get rid of the slave trade; I give you entire credit for sincerity; but I do not believe that there is another man in France who considers you to be sincere." Looking, then, at the state of our measures, our means and appliances for the suppression of the slave trade, next to our adoption of a course of policy tending directly to encourage it, and now to our proposal to withdraw our squadron altogether, must not any man say, either that we are the most egregious hypocrites, or that, if sincere, we must be mad? I recollect the obligations which we entered into by that treaty, and I know it may be proposed to us to withdraw our squadron; but I do not envy the British Minister who may be engaged in such a negotiation. It is quite true that the French Government may exonerate us from our engagements; they may say to us, "You who have put your hand to this work—you may withdraw if you will;" but this all the world will say, that by so drawing back you admit that you have given up all attempt or hope for the future abolition of the slave trade. You will thus, after years of exertion—after almost endless labours in the cause—labours which do honour to this country—you will thus, after yielding to the demands of your true interests—after obeying the dictates of humanity and justice—you will have your name mentioned with disgrace and shame—

> "On all sides, from innumerable tongues
> A dismal universal hiss, the sound
> Of public scorn."

But I still hope that the country will not abandon that honourable course of policy in which for many years we have been with varying success engaged. The noble

Earl concluded by moving for a return of all slave vessels captured by the ships of Her Majesty's Navy during the years 1845, 1846, and 1847; also of those captured by the ships of the Portuguese, French, and American squadrons in the years 1845 and 1846.

The EARL of AUCKLAND had no objection to the returns as far as regarded the cruisers employed in Her Majesty's service; but he doubted whether he could obtain those of the Portuguese and United States. With regard to the French squadron, he hoped to be able to give the number of the captures also; but he could not positively promise. The noble Earl then read a letter from the Commander-in-chief of Her Majesty's squadron on the west coast of Africa, praising in the highest terms the general arrangements of those officers in command on that coast, as well for the efficiency of their arrangements for the suppression of the slave trade, as for the measures they had adopted for securing the health of those employed under them. The letter stated that the writer would, he had no doubt, be able at the proper time to report fewer cases of death, less of illness, and a greater number of captures this year, than at any former period. The expeditions up the rivers he considered most useful. Much had been said of the unhealthiness of the African station; but the sea on the coast of Africa was not more unhealthy than the sea on any other coast within the tropics. The mortality on board Her Majesty's squadron on that coast was, in 1845, equal to 5 per cent; but in 1847, it was reduced to 2 per cent; while the number of invalids, which in 1846 was equal to 10 per cent, in 1847 was only equal to 5 per cent. In addition to this, ships were now allowed to remain on the station only for two years. He (the Earl of Auckland) could further say, that Admiral Sir Charles Hotham was most indefatigable in his exertions to promote the health of those who served under him, as well as to suppress the trade in slaves. It would, in his opinion, be the infliction of a cruel injury upon those native States which had joined this country in treaties for the suppression of the slave trade, and who now began to taste the advantages of regular commerce, if, by the withdrawal of our fleet from the coast, they were plunged into civil war with their neighbours, which would infallibly be the case, as well as their relapse into the old system of slavery. He did not feel called upon to make any further remarks upon the observations of the noble Earl.

LORD STANLEY would not have offered a single observation had it not been for a misapprehension into which the noble Earl (the Earl of Aberdeen) had fallen with respect to what he (Lord Stanley) had stated on a former occasion. He remembered, with satisfaction, that during the time he held office along with the noble Earl, there was no subject on which they felt more concurrence than in the measures taken for the prevention of the slave trade. He was a Member of the Government at the time the convention with France was concluded; he was a party to sending a naval force to the coast of Africa; and nothing would be more inconsistent in him, after having been a party to such a measure, than to have used the language the noble Earl had supposed him to have held—language condemning the employment of a naval squadron on the coast of Africa. The opinion he expressed on the occasion alluded to, was the same as that held by the noble Earl, however less plainly stated than in the observations of his noble Friend. He was not aware that the noble Earl intended to advert to anything that had fallen from him (Lord Stanley); but, since he had done so, he had referred to a record of what passed in their Lordships' House, and, though not strictly regular, he might advert to it for the sake of explanation. In the debate on the Address in the last Session of Parliament, he adverted to the change of policy in the sugar duties, deprecating that change as much as he did at the present moment, as calculated to encourage the slave trade to an extent greater than all the damage the successes of a squadron on the African coast could do to it; he returned also to an important treaty—important since it was mentioned in Her Majesty's Speech—that had been concluded with the Republic of the Ecuador, for the suppression of the slave trade; and, in doing so, he said—

"He hoped this important paper would speedily be laid before Parliament, to enable them to judge of this subject—to let them see what was the naval force of that republic, and what were the stipulations which had been agreed to for keeping a naval force on the coast of Africa. Before leaving this subject, he begged to warn the Government to take care that while they were suppressing the slave trade with the right hand, they were not encouraging it with the left. He did not hesitate to say that their past legislation had given a stimulus to the slave trade—had increased the labour and exertions of the slave, as

well as raised his price; and, if he had to choose between the two alternatives — the abolition of the protective duty or the withdrawal of the squadron from the African coast, with its heavy expense and loss of life, and its aggravations of the evil it vainly endeavoured to put down, he believed he should choose the latter alternative, as the more innocent and less ruinous of the two."

What he meant to state was, that however great the exertions of the squadron had been in 1845 and 1846, yet their unfortunate legislation towards the end of 1846 had given such a stimulus and encouragement to the slave trade, that it more than neutralised the efforts of the naval force; and that, if he had to choose the most effective means of putting an end to this traffic, and was compelled to choose one of these means, and one only, he should prefer—as one more innocent, far less destructive, and far more efficient—retaining the differential duty on slave-grown sugar, and withdrawing the naval squadron. The returns from Cuba showed that in 1845, and up to October, 1846, there was a decrease and rapid diminution in the importation of slaves; but after that period, in consequence of a policy which the noble Earl justly described as inconsistent, nay, as irrational and insane, he feared a great increase would be shown in the import of negroes to the Havannah, notwithstanding the vigilance and exertions of the naval force on the coast of Africa. He concurred with the noble Earl in not thinking the number of captures a proof of the success of the preventive squadron; on the contrary, he had stated that the diminished captures in 1845 and 1846 indicated a decline in the trade, rather than a relaxation in the activity of the naval force. The statement of the increased attention paid to the health of the crews, and its result, was very gratifying; but the increased number of captures alluded to was no test of the increased efficiency of the squadron; it rather proved that the trade was again on the increase: the traffic revived, and the captures increased in the same proportion. He was still further confirmed in this opinion by the fact, that though in the sixteen months previous to the alteration in the sugar duties there were several captures, yet they were almost all empty vessels which were prevented from going in to fetch cargoes; and there was a complaint among the West Indian proprietors that so few captured Africans were landed to recruit the number of labourers. But since 1846 the number captured by the cruisers amounted to 5,000: a real proof that the trade was largely on the increase. This increase was subsequent to, and he might say in consequence of, the change in their policy adopted in 1846.

The BISHOP of EXETER wished to be allowed to say a few words on this interesting question. If it was the settled policy of this country to encourage the production of slave-grown sugar, he hoped they would decide on the removal of all difficulties in the way of importing slaves from Africa; for it was perfectly clear that the difficulties thrown in the way of that importation only caused increased suffering to those actually imported. The more vigilant and successful the squadron on the coast, the greater was the pressure on the unhappy creatures embarked in the slavers. If, then, they were to encourage the growth of slave sugar, they could not do better than at once give every help to the importation of slaves.

EARL GREY thought the subject too important to be fully discussed on the present occasion. But he would totally deny that it had been the policy of the Government to encourage slave-grown sugar. Its policy had been that which every day's experience convinced him was a sound one—namely, the relieving their own colonies from the encumbrance of a fancied protection, and placing the trade in sugar on the same basis of freedom as that on which every great and flourishing trade was placed. He was convinced that in the end, and at no distant period, that would prove to be a wise policy for the sugar-producing colonies; but to say they encouraged slave-grown sugar was utterly without foundation. What they maintained was, that if sugar, not the growth of their own colonies, was admitted into consumption at all, it was utterly impossible to exclude that which was slave-grown. The measure of 1844, which admitted foreign sugar, but confined the consumption to what was free-grown, had practically the same influence on the trade of Cuba as if the sugar of Cuba had been openly admitted. Sir R. Peel himself, in the House of Commons, stated that his expectations as to the amount of free-grown sugar that would be imported into this country, had been disappointed by the fact of their having been a short crop in Cuba. But more than this, those who introduced the measure were themselves on the point of being compelled, in the face of commercial treaties, to admit the importation of slave-grown sugar; and they only excluded the slave-grown sugar of Cuba by descending to a species of diplomacy which was the

only specimen of the kind in English history—the only case in which an English Minister negotiated in the spirit of a pettifogging attorney—refusing to fulfil the obligations of a solemn contract on pleas really so shallow and fallacious, that in private life they would not have a very high opinion of a gentleman who endeavoured by such pleas to avoid engagements between man and man. As he had stated before, this was too extensive a subject to be discussed on this occassion. If they really believed their policy calculated to encourage slavery and the slave trade, let them bring the question to a fair issue. But he could never for a moment believe that a British House of Lords would have passed a measure which they believed would encourage the slave trade. If they were now convinced they were wrong—if they thought the measure then adopted founded in error—let the question be fairly brought before them, and they could pronounce their conviction that they had committed such an error. But till they had done that, he, for one, would not sit in that House and listen to assertions that it was the policy of the Government to encourage slave-grown sugar, and, therefore, they had better at once give every facility to the importation of slaves from Africa.

Lord DENMAN was not sure that his noble Friend had perfectly understood the right rev. Prelate; but if the policy of the Government in encouraging slave-grown sugar must have the effect of greatly promoting the slave trade, he quite agreed that the question of withdrawing the squadron might require a renewed consideration. At the same time, he denied that those preventive means had increased the sufferings of the negro to so great an extent as the right rev. Prelate and the noble Lord supposed. The torture and misery had always been extreme, and must continue as long as the accursed traffic was allowed to exist. He was old enough to remember, when a Bill was brought into the House of Commons limiting the number of slaves that should be shipped on board vessels of a certain size and tonnage, that that Bill was vigorously resisted. The very discussion by Parliament whether a wretched captive was to have an inch more orless to lie down in, was treated as an interference with the rights of private property, and an invasion of the principles of free trade, as they were understood at that time. The first principles of trade compelled the adoption of the cheapest means for carrying it on. He would appeal on this point to the noble Lord opposite— [Lord Ashburton expressed his assent]—and thus the cargo of human beings must be packed in the fetid hold without regard to their health or comfort, or to anything but the profit of the slavetrader; if the trade continued at all, the competition itself would compel overcrowding. It was with the utmost satisfaction he had heard the clear and masterly statement of the noble Earl opposite (the Earl of Aberdeen). The country was infinitely indebted to him for the attention he had paid to the repression of the traffic; but he thought it would be still more indebted to him for the speech of that evening, if it induced them to reconsider the principle of their recent policy, and inquire whether its inevitable tendency was not to benefit the slavedealer, and perpetuate a traffic they must all abhor, and which he knew his noble Friends near him abhorred as much as he did. They would never have proposed any measure which they were not convinced would rather discourage the slave trade than promote it. But now, after a year's experience, that tendency which was previously discovered and exposed in argument, had been more glaringly demonstrated by the fact—by the stimulus applied to this abhorred iniquity—the sudden start into prosperity of the slave-cultivated colonies, and the hopeless depression of our own. Public opinion on this subject appeared to him to have undergone a lamentable and disgraceful change; in works issued from the press he could not find a single argument that did not bear tokens of alliance with the slavedealer, founding his unhallowed prosperity on the perpetual degradation and oppression of the unfortunate negro race. But he was told that this measure of 1846 was discussed and agreed to with such singular deliberation and care, that "a British House of Lords" (such was his noble Friend's expression) could not now take a different line of conduct without culpable inconsistency. He must say, as a witness, that the passing of that measure deserved a completely opposite description. The discussion, on the contrary, had been hurried on in a manner wholly unprecedented. The Bill had been brought from the House of Commons on Saturday, the 9th of March. In the ordinary course of things its principles would have been debated on the Motion for its second reading towards the close of the ensuing week. He had himself expected a summons to attend at that period; but he was suddenly called by

three urgent messengers, and came up in feeble health, perfectly incompetent to do justice to his own sentiments on the most interesting of all subjects. This was little; but the debate was fixed for the first reading instead of the second, and the first was fixed for Monday the 11th. Dates were very material; the 12th of August was devoted to other arrangements. Noble Lords were already absent on their annual expedition against the grouse. [Earl Grey intimated that the postponement was at the request of the noble Lords opposite.] That was immaterial for his statement, which was, that the Bill had not been at all considered by the majority of the House of Lords; many of whom, he personally knew, were not aware that the Bill was in progress, while the minority, compelled by their offices to be on the spot, had passed the measure. It was, therefore, perfectly open to that House to enter upon a discussion, which really had not been submitted to them. Even the Bishop of Oxford had been left in ignorance of the premature discussion; and he could not but regret that the noble Earl (the Earl of Aberdeen) had been at a distance at that time; he believed the speech which he had just made would then have produced a great impression on the House, and might have insured the rejection of the Bill. He (Lord Denman) rejoiced, however, that the returns had been moved for; and he was glad that a Committee had been appointed in the other House that would enter into the inquiry with those full means of information which must remove the sordid prejudices industriously propagated. On the subject of the slave trade, he wished to say a few words more. It was often supposed that we were doing something very improper, and interfering with the just rights of other nations, when we aimed at a forcible suppression of that traffic. It was not so. England had relinquished the slave trade because she considered it an enormous crime; he, for his own part, was anxious to record his his opinion, that it was no less than the crime of piracy in its most aggravated form —an opinion formed on the fullest consideration, and now avowed with perfect confidence in its correctness. Lawyers had hardly turned their minds to this subject; but he was sure that if his noble Friend on the Woolsack, and his noble Friend below him (Lord Campbell), examined the subject, they would agree with him that the slave trade carried on without the authority of any State, and in contravention of the laws of that State to which the slave trader belonged, was, *ipso facto*, piracy. It was true that, in a particular case, Lord Stowell had given a different opinion; but it was met by the high authority of Sir W. Grant, and could not alter the nature of things. Lord Stowell had promulgated his notions in a case which did not require them, and they would not stand the test of reason. The fact was remarkable, that in the year 1817, the very year when his doctrine was laid down, we had equipped our squadron on the coast of Africa to suppress the trade. In that same year England had entered into her treaty with the Emperor of Brazil, by which the slave trade of Brazil was tolerated till a final arrangement of the matter; but in 1820 it was finally arranged by a mutual declaration between those two Powers, that slavetrading should be "deemed and treated as piracy." Such a declaration was necessary on the part of those who had so long recognised it as a legitimate commerce; but it was made because it was true, and both parties agreed to call it by its right name. When in 1823 an offer was made by the United States of America to declare the slave trade piracy by the law of nations, it was a great misfortune that Mr. Canning did not see the advantage of agreeing to this proposal; for though the declaration of two countries could not bind all, nor make a particular crime piracy by the law of nations—if in its own nature it was not so—still it would have been binding on the subjects of each. If that proposal had been accepted, he (Lord Denman) believed that the slave trade would not now exist. But there was a still more important testimony—the declaration of the Parliament of England. In 1824 that Act received the Royal Assent which proclaimed this truth to the world, and denounced all who took part in the most atrocious of crimes —the seizure and sale of their fellow-creatures—as "pirates, robbers, and felons." Did it declare them such, because they did not deserve that character? No; but because it was their only true designation. We need not then encumber our proceedings with any scruples about their lawfulness, but proceed to inquire to what extent they had been effectual for their purpose. The noble Earl (the Earl of Aberdeen) had furnished some important information on this subject, and the disclosures likely to be brought out before the Committees alluded to, would doubtless be of the greatest value. The treatment of the

efforts of our squadron as a mere failure, was purely absurd. Many piratical adventurers were baffled every year by that squadron; and many thousands of our fellow-men rescued from the pirate, instructed in the lessons of the gospel, and established as the members of a free community. In fact, some of those who affected to lament its want of success, were only annoyed that it had succeeded too well, and decried the employment of our cruisers, because it had disappointed the schemes of the slavetraders in Cuba and Brazil, and their allies in other countries. If a feeling of despair could be produced in this country as to the possibility of suppressing that hateful outrage on humanity, the aim of the slavetrader was attained, the growth of his trade would be unbounded, and the attempt to exclude our own countrymen from a share of its large but exaggerated profits, would appear a childish inconsistency, an invasion of the principles of free trade. For this reason he thought it his duty to state his decided opinion on the nature and character of slavetrading: the more so, because he had recently seen the claim of an owner of human beings, made slaves for the purpose of trade, recognised for the first time in an English court of justice.

Lord ASHBURTON said, as far as he understood, the proposal made to Mr. Canning through Mr. Rush was, that the United States and the British Government should declare the slave trade to be piracy by the law of nations, only as far as their own subjects were concerned. The noble and learned Lord (Lord Denman) seemed to think that, as the Act of 1846 was passed, the mischief was done, and, unless the Act was repealed, the evil was beyond a remedy. He, indeed, thought it would be too late, and that, as our colonies could not carry on the sugar cultivation at a loss, the cultivation of sugar in our colonies would cease, unless that Act were repealed. It was very well for the noble Earl the Secretary for the Colonies to argue that this would not be the consequence of the measure; but he maintained that they had passed an Act which must have that effect. If the produce of slaveholding countries was received here under circumstances which gave it a preference in our market, it must have an immediate tendency to depress our own colonies, and to give an additional incentive to the slave trade. Whether this last result happened or not, if their Lordships entered into an inquiry into the subject, they would find that our colonies could not maintain a competition with slaveholding countries. It was a strange policy, after the millions this country had laid out in endeavouring to suppress the slave trade, and the sums still annually expended by it, that we should now give encouragement to the produce of slaveholding countries—checking the slave trade on the one hand, and promoting it on the other.

Lord DENMAN said, a declaration from Great Britain and the United States that the slave trade was piracy, as far as regarded their own subjects, would have so stigmatised the trade in all parts of the world.

The Earl of ABERDEEN, with reference to the term "pettifogging" which the noble Earl (Earl Grey) had applied to the interpretation put upon the treaty, observed that he was as incapable as the noble Earl of being guilty of anything that could be called "pettifogging." He had considered the subject with much care, and had been satisfied in his own conscience, and after mature consideration he was still convinced, that the interpretation put upon the treaty by Her Majesty's Government was perfectly correct.

Earl GREY was understood to say, that he retained the opinion he had expressed, though he disclaimed any intention of using the term "pettifogging" in an offensive sense.

The Earl of HARROWBY made some observations which were quite inaudible.

Returns ordered.

House adjourned.

HOUSE OF COMMONS,

Tuesday, February 22, 1848.

Minutes.] Public Bills. — 1° Consolidated Fund (8,000,000*l.*).

Petitions Presented. By Sir T. Acland, from Devon, against the Jewish Disabilities Bill.—By Lord A. Paget, from Lichfield, against the Roman Catholic Charitable Trusts Bill.—By Mr. J. Matheson, from Distillers of Rossshire, respecting the Bonding of British Spirits; and for Alteration of Law respecting Entailed Estates (Scotland).—By Sir T. Acland, from Culmstock (Devon), against the Roman Catholic Relief Bill.

EXPENDITURE OF THE COUNTRY.

The CHANCELLOR of the EXCHEQUER: Sir, in the first place I have to express my thanks to the hon Gentleman (Mr. Sharman Crawford) who had a Motion on the Paper for leave to bring in a Bill to extend the powers for hiring land for the use of poorhouses in Ireland, and who had given way, not only on my own

part, but on the part of the House, for giving me this opportunity of bringing forward the Motion of which I have given notice; a Motion which I certainly do not make for my own gratification, but one which I could not have submitted to the House at this early period of the evening, but for the kind manner in which the hon. Gentleman has given way. I must also express my thanks to my hon. Friend the Member for Gateshead, and to the hon. Member for Cork, for the consideration of the convenience of the Government and of the House, which they have shown by allowing my Motion precedence. I will now state the grounds on which Her Majesty's Government think it desirable to move for the appointment of two Committees: one to inquire into the expenditure of the Navy, Army, and Ordnance; the other to inquire into the expenditure of the Miscellaneous Services; and I think I shall best consult the convenience and the wishes of the House by prefacing my Motion for the appointment of both Committees by only one speech. It is perfectly well known to hon. Gentlemen, that it has been customary from time to time to appoint Committees to inquire into the income and expenditure of the country; sometimes into both, sometimes only into one of them. It was a matter of consideration to the Government a short time after its accession to office, whether it would not be desirable to appoint a Committee to investigate the general expenditure of the country. I confess, when I sat on the benches opposite, I saw, not without great uneasiness, the increase which had taken place in the expenditure of the country; and I thought, with the hon. Member for Montrose, that it was a subject which fairly demanded inquiry on the part of the House. The hon. Member stated, as I state now, that the expenditure in those branches of the public service which relate to the Navy, the Army, and the Ordnance, had increased from 11,730,000*l.* in 1835, to 17,340,000*l.* in 1847. The increase of the Army has been very small. [An Hon. MEMBER: What of the Miscellaneous Expenditure?] What I propose now to the House is to appoint two Committees: one to inquire into the expenditure of the Navy, Army, and Ordnance; the other into the Miscellaneous Expenditure of the country. They stand in a different order on the list of notices of Motions; but I put them in the order of what I conceive to be their relative importance, that is to say, I consider that an expenditure of 17,340,000*l.* is of greater importance, as a subject for consideration, than an expenditure of 3,782,000*l.* I began, therefore, by saying that the expenditure for the Navy, Army, and Ordnance, had increased from 11,730,000*l.* in 1835, to 17,340,000*l.* in 1847. The increase in the expenditure for the Army is inconsiderable; the increase in the expenditure for the Navy reaches to 3,500,000*l.*; and the expenditure for the Ordnance is now more than double the amount which it was in 1835. I think that this forms a very fitting subject for inquiry; but at the same time I am not prepared to say that this expenditure was not perfectly justified by the circumstances which called for it, and in fact it has received the sanction of Parliament in different Sessions. No objection has been taken by Parliament to the increase which was from time to time proposed in the expenditure; and, more than that, a very considerable portion of the expenditure has been pressed on the Government by the general wish of the House. I remember perfectly well that during the four years in which I filled the situation of Secretary to the Admiralty, I constantly had to defend that Board against the charge of not having spent enough, and of not providing sufficiently for the defence of the country. That the House will readily recollect was the case; and, generally speaking, these recommendations to increase the expenditure came either from independent Members of the House, or from officers of the two services. I do not think, therefore, that either the late or the present Government are so much responsible for this increased expenditure, as the representatives of the people. But I do not think that on this account there is no reason for inquiry, and I am ready to allow that the most convenient mode is to appoint a Committee of this House. I may state to the House that almost immediately after the accession of the present Government to office, my noble Friend intimated his intention to appoint a Committee to inquire into the Miscellaneous Expenditure of the country. That was at the end of the Session of 1846, and my noble Friend repeated the same assurance in the course of last Session; but as a new Parliament was about to assemble, it was thought more convenient to postpone the appointment till the present Session. Subsequently to that intimation by my noble Friend, the hon. Member for Montrose suggested that it would be more expedient

to appoint, not a Finance Committee, but a Committee to inquire into the whole subject of the expenditure of the country. The Government, however, thought that an inquiry so extensive would be apt to lead to no useful result. A very wide field of inquiry would have been committed to their charge, and, as far as I can remember, one which has never yet been executed by a single Committee. In 1817 and in 1828, the reference of so wide a subject to one Committee was objected to—and on the latter occasion by the hon. Member for Montrose himself—on the ground that it would be more convenient to conduct inquiries of this kind separately, and to divide the expenditure into different branches. But although this course was taken by the hon. Member on a former occasion, he has now suggested a much wider field for inquiry. He has suggested that there should be a general revision of our whole system of taxation; but we think, if we are to hope for a practical and early conclusion of the inquiry, that it will be far better to confine our investigations to one branch of the subject. The Government, then—not entertaining, as I have said, any objection whatever to this kind of inquiry, but, on the contrary, thinking that an inquiry into our expenditure is desirable, nevertheless, at the beginning of the Session, considering how many important Committees must be appointed—such as the Committee on Commercial Distress, the West India Committee, and others—thought that it might be better to postpone any inquiry into our naval and military expenditure for the present, inasmuch as a great number of those Gentlemen who were of the greatest experience and standing in the House, would necessarily be engaged upon other Committees. It is certainly not without some fear of this kind that the Government have now determined to appoint a Committee to inquire into this subject; but after the misapprehension which has so extensively prevailed, we think it better to run the risk of this inconvenience, than that we should appear to decline any investigation into the reasons for this expenditure. We have no wish in doing so to shrink from that responsibility which attaches to all Governments. It is their duty to submit to Parliament the amount of establishments which they consider necessary. We have not shrunk from that duty, and have submitted to the House the various estimates of the sums which in our opinion are required for the Navy, Army, and Ordnance. So far, therefore, the Government have performed their duty on that subject. But although the Government felt the objection which I have stated to the appointment of a general Finance Committee, they have thought it desirable that these estimates should be submitted to a Select Committee of the House. I think it desirable that they should inquire how far the increased expenditure even of our military establishments is in reality owing to increased establishments, and how far the increase has been occasioned by our efforts to improve the condition of our soldiers and sailors in actual service. There is a considerable increase in the expenditure arising from increased pay to petty officers, and in various other ways. I mentioned the other day, as an instance of this, the abolition of poundage on pensions, and the increased rates of pay to various classes in the Navy, making an increase on the average of 2*l.* a man on the whole number of men voted. An objection has also been raised in this House with reference to the distribution of the forces; and hon. Gentlemen have said that a different distribution would have made them as available for the defence of the country as they can be made by the arrangements proposed by the Government. This may be a proper subject for inquiry. For these reasons, when we are about to make a demand on the public in the shape of taxation, it seems to us that the reasons in favour of the appointment of a Committee, outweigh the objections which may be urged against it. The hon. Gentleman the Member for Buckinghamshire desired me when I moved for this Committee to come properly prepared with precedents. I do not mean to say that I am about to quote any precedent precisely in point; but I do not think that it would be any advantage to do so. Hon. Gentlemen opposite may think that it is a great advantage to do as our forefathers have done many years ago, and that no change of circumstances will warrant a departure from ancient usage. That may be the opinion of hon. Gentlemen opposite, but it is not mine. I do think that circumstances may afford an abundant justification for not adhering in too servile a manner to the precedents of former times. But if the hon. Gentleman asks for instances in which similar inquiries have taken place, they are to be found in abundance. I do not find that, in former times, it was considered improper for the Government to submit

such questions to the consideration of Committees of this House. I do not think that Mr. Pitt was a Minister very likely to shrink from responsibility, and yet he appointed three Committees of this kind in the years 1786, 1791, and 1797. In 1807, a similar Committee was appointed. In 1817, Lord Liverpool's Government—whose stability I am not aware was doubted, and which, in fact, continued to hold power for some years afterwards—appointed a Committee to make a searching investigation into the expenditure of the country. In 1828, the Government of the Duke of Wellington, at that time strong enough, I believe, in the estimation of the country, appointed a similar Committee. Again, in 1834, Lord Stanley, when Secretary of State for the Colonies, had a Committee appointed to inquire into the number of men employed in those colonies, and the distribution of this force. The same Committee was reappointed on the proposal of the right hon. Member for Oxford. I do not think that hon. Gentlemen opposite will say that Lord Stanley was likely to yield in any sort of way to a pressure that ought to be resisted. I say, therefore, that when we adopt the course suggested by the hon. Gentleman the Member for Montrose, we cannot be accused of shrinking from any responsibility that properly belongs to us. We have prepared those estimates which we have thought right, and by them we are willing to abide. It has been said that such Committees have never inquired into the war establishments of the country. But the report of the Select Committee of 1817 begins thus :—

"The Select Committee have proceeded to investigate the principal establishments of the country, beginning with the Army. In this department, the first object that presents itself is the numerical amount of force. Your Committee are deeply sensible of the extreme difficulty of ascertaining the precise point at which our military establishments should be fixed, on account of political considerations, and others of a still more delicate nature, which must necessarily involve themselves in the question."

They had submitted to them the estimates for the year, and the probable amount of expenditure not only for the year in which they sat, but for the year after that in which they sat. If the hon. Gentleman will refer to the report, he will find that this Committee made no recommendation to the House, and made no alteration in the estimates; but the whole were nevertheless submitted to them. In like manner, in the year 1828, these matters were submitted to the consideration of the Committee then appointed. The Committee of 1828 reported upon the terms on which Long Annuities were granted; then upon the Army, Navy, and Ordnance; and, lastly, upon the general expenditure of the country. The only witness whom they examined on the last branch of the subject was the right hon. Gentleman opposite the Member for Stamford, who also drew up the report, so that in this respect he performed all the functions of the Committee. Referring, however, to the naval and military expenditure, what is their report? This is an extract from it:—

"The Committee thought it proper to commence their proceedings with the examination of the estimates of the Army, Navy, and Ordnance, because they expected, by taking this course, to be able to report their opinion on each of those branches of expenditure before the period would arrive when the public service of the country would render it necessary that they should be brought under the consideration of the House."

It was here proposed to carry out a very extensive investigation; and they expected to be able to present their report to the House in time to be of some service in the consideration of the various estimates for the year. The result proved, however, that they were unable to overtake so wide a field. They had to consider in detail the revenue and expenditure in each department; and they found themselves unable to go beyond one department—the Ordnance. We had the advantage, however, of their opinions and recommendations on several important points. Lord Hardinge was examined before the Committee, and gave most valuable information on the subject of the Ordnance Department. In the Naval Department it is well known to the House that in 1830 and 1831, great and important reforms were introduced by the right hon. Gentleman the Member for Ripon (Sir J. Graham), then First Lord of the Admiralty. Since that time, it is true that the expenditure has very materially increased; and I do think, therefore, that there is great necessity for a strict and searching inquiry on the part of a Committee of this House into all the departments connected with the public force of the country. I have no doubt that much of the increased expenditure which has taken place will be found to have been justified in each succeeding year; though I am not prepared to say that in some of those departments it may not be possible to effect a reduction of expenditure. I have now to refer to a point

which I mentioned on a former occasion, and with regard to which I find that I laboured under some misapprehension. When I last night referred to former Committees of Inquiry having been appointed by this House, I then thought that all those Committees had been Secret Committees, and I stated that I intended to follow the precedents laid down on those occasions. I certainly do think it indispensable that the Committee I am about to propose should have the power—as, indeed, I believe it will have—of suppressing any portion of the evidence taken before it which it may think fit; also of excluding from its report any documents which it may think proper to exclude; and that they also should have the power, if they think fit, to exclude from the room any person or persons during their sittings. In the case of the Committee of 1828, I believe that no person was ever permitted to be in the room. I have spoken to a Friend of mine, who was a Member of that Committee, and he states that, to the best of his recollection, he never saw any person present at the meetings of the Committee. I propose, therefore, simply the appointment of a Select Committee. I admit, frankly, that I was wrong when I spoke of the former Committees of this description as Secret Committees; and I believe that it is not in reality necessary to constitute them into Secret Committees, in order to give them a power which they certainly ought to have, namely, that of excluding such evidence and documents as they might think fit. With this explanation, I do not think it necessary to say more than simply to move—

"For the appointment of a Select Committee to inquire into the Expenditure on account of the Navy, Army, and Ordnance, and to report their Observations thereupon to the House; and also the appointment of another Select Committee to inquire into the Expenditure for Miscellaneous Services, and to report to the House whether any Reductions can, in their opinion, be effected, or any Improvement made in the Mode of submitting this Branch of the Public Expenditure to the consideration of Parliament."

Lord GEORGE BENTINCK: I am relieved in a great measure from the necessity of continuing the opposition which I gave last night to Her Majesty's Ministers, because Her Majesty's Ministers have abandoned altogether the declaration which they then made. The great objection I made to the Committee was that it was to be a "Select and Secret" Committee; and considering that that announcement was accompanied by a declaration that Her Majesty's Ministers proposed to make a large addition to, and not to diminish the estimates for, the Army, Navy, and Ordnance, it certainly left to me the impression that Her Majesty's Ministers were going to abandon on the part of the Crown one of its great prerogatives, that of deciding upon the conduct of the Army and Navy, and to a great extent upon the defences of the country. But when that proposition for appointing a Secret Committee to inquire into the propriety of an increase to the Army and Navy Estimates has dwindled down to a sort of jumbling up of two Committees, one to inquire into the Miscellaneous Estimates, and the other into the Army, Navy, and Ordnance Estimates, it makes a very great difference in the state of the case. The right hon. Gentleman the Chancellor of the Exchequer has said he has no exact precedent for his proposition; but my noble Friend (Lord John Russell) took credit to himself last night that he had no less than five exact precedents for the proposition which was announced to us. It was stated last night that the proposition would be for the appointment of a Select and Secret Committee; but it is now confessed on the part of my right hon. Friend, that had he persevered in that Motion of which he gave notice last night, that he would have had no precedent whatever for such a Secret Committee to inquire into the Army, Navy, and Ordnance Estimates. If my right hon. Friend had persevered in that intention, I should have persevered in my opposition to his Motion; for I think nothing can be more dangerous than that any question connected with the national defences and distribution of the force of the Army and Navy should be referred even to a Select Committee of this House, but, above all, to a Secret Committee. My noble Friend (Lord J. Russell) on Friday night, announced to the House that it would be necessary to increase the Army Estimates to the amount of 43,000*l.*, the Ordnance Estimates to the amount, I believe, of 245,000*l.*, and the Navy Estimates to the amount of 194,000*l.*; of which, 94,000*l.* alone, I believe, was connected with the increase of the Navy. There was also, he said, to be an increase of 150,000 for the militia. I presume now the inquiry to which the attention of this Committee will be called will not be an increase or decrease in the armaments, either Military or Naval, or the Ordnance forces, but that the subject

submitted to the inquiry of the Committee will be considerations connected with the possible diminution of expense, apart from any increase of the effective force of the Army, Navy, or Ordnance. I conclude that my noble Friend does not mean to relieve himself from the responsibility of coming down to this House, recommending a certain force for the defence of the country, and standing by that recommendation. I am well aware that on many former occasions there have been Finance Committees appointed to inquire into the general expenditure of the country; but then I believe those inquiries were on each and every occasion when it was proposed to reduce rather than to increase the expenditure. I believe there is no precedent whatever for a Committee of Inquiry to consider whether the national defences should be increased, or the Army, Navy, or Ordnance added to. In the year 1786 the question of the fortification of Portsmouth came under the consideration of the Government of Mr. Pitt; but that subject was not referred to a Select Committee, or to a Secret Committee upstairs, but it was referred to "the arbitration of a Board of Land and Sea Officers," consisting, in the language of Mr. Pitt, of everything that was great and respectable in the two professions. If the question be now whether any further fortifications should be constructed, or whether or not the service should be added to in particular departments — whether the steam portion of the Navy should be strengthened —whether the marines should be increased, or the number of artillery added to— if these or any one of them be in question, I trust they will not be made subjects to be submitted to a Select Committee upstairs; and, making this protest against the inquiry of the Committee being permitted to take the course of encroaching upon the proper functions of the Executive Government, and of the prerogative of the Crown, I shall not offer any objection to the proposition of my right hon. Friend.

MR. DISRAELI: After the observations of the right hon. Gentleman the Chancellor of the Exchequer, I thought it might be considered that I shrunk from the challenge which he has accepted so gallantly, if I did not notice his observations. I expressed an opinion last night that no precedents could be produced in favour of the measure of the Government; but I did not mean for a moment to lay it down as a principle that Her Majesty's Government were to be always hampered in the discharge of their duties by a strict observance of precedents: quite the reverse. But when the Minister comes forward to recommend a particular course, and wishes to establish the propriety of that course to the House by an elaborate and almost pedantic reference to precedents—and when on examining those precedents we find they do not in the least coincide with the course he recommends—I am, I think, perfectly justified in expressing my doubts as to the propriety of the course that Minister has taken. If the Government of the present day are so independent of precedent—if they are so satisfied with the step which they are recommending to the House that they do not think it at all necessary to be in any way influenced by the conduct of their predecessors—why were we told last night by the Government, and why was the statement re-echoed by some great authorities on this side of the table, that from the year 1785 down to the year 1828, at decennial periods, this course had been pursued? If you wish to recommend your proposition by the precedents you produce, every one of us will bow with respect to the authorities you bring forward. If you mean to say that in this enlightened age you will not be guided by precedents, but recommend a course on your own responsibility, I do not doubt that you will find many supporters: but do not come forward as the followers and respecters of precedents on one night, and on the next when you find they do not exactly suit your case or fit your purpose, claim credit from the House for discarding them, and look for a cheer from the Liberal benches, because you are a Government independent of the authority of those that went before you, and confident in the creative faculty you possess of striking out a new line for yourself under difficult circumstances. I entirely differ with the Government as to the value of precedents. In this case, as in others, precedents are not mere dusty phrases, which do not substantially affect the question before us. A precedent embalms a principle. The principle may be right or may be wrong—that is a question for discussion; but at the first glance it is right to conclude that it is a principle that has been acted upon and recognised by those who preceded us. Now, Sir, the

Chancellor of the Exchequer told us, that in submitting these estimates to the Committee, he did not feel justified in pretending that it was not in the power of the House to effect considerable reductions in those matters. But I read in the Message from the Throne, which was placed on this table within a very brief time, this address to the Gentlemen of the House of Commons :—

"Her Majesty has given directions that the Estimates for the next year shall be prepared for the purpose of being laid before you."

This is said about the end of November.

"Those Estimates will be framed with a careful regard to the exigencies of the Public Service."

What! those estimates framed only a few weeks ago with a careful regard to the exigencies of the public service, now brought forward by a Chancellor of the Exchequer, who cannot take upon himself to say that considerable reductions cannot be made in them! And in the first place, I do not observe, in the Address from the Throne, that appeal on the part of the Sovereign towards the House, which, to my mind, makes a great difference between the present case and those instances which have been brought forward on the part of the Government. All those instances at decennial periods from 1785 to 1828, were what are called Finance Committees—Committees to inquire into the revenue and expenditure of the country. Of course, having to inquire into the revenue and expenditure of the country, it was absolutely necessary that those Committees should inquire into the cost of the public establishments. But in every one of those instances the inquiries into the military and naval establishments of the country are corollary—they are merely *inter alia*, and incidental to the great inquiry. And, accordingly, what do we observe in every case which has been referred to by the Minister? There is not one from 1785 to 1828, in which there has not been an announcement of the intention of the Government in the Speech from the Throne. On the very first occasion, and in the most solemn manner, the Sovereign informed the House of Commons that it was the intention of the Crown to refer the subject to the investigation of a Select Committee. And one can easily understand the reason of that. In taking the examination of the estimates out of the hands of a Committee of the whole House, every Member is deprived of an important constitutional privilege; therefore it is necessary that it should be announced in the most public manner, and that the announcement should be for a considerable time before the House and the country. Every Member gives up his peculiar privilege of examining those estimates in a Committee of the whole House, because there is a great public emergency which requires that the subject should be submitted to the particular control of a Select Committee. In the year 1817, this is the language of the Prince Regent—"I recommend the state of the public income and expenditure to your early and serious consideration." Well, of course when the public income and expenditure are recommended to the early and serious attention of the House of Commons, on the first day of the meeting of Parliament by the Message from the Throne, there can be no mistake as to what the intentions of the Sovereign are. It is that a comprehensive view of the establishments of the country should be taken with reference to economy. Is that the present case? Had we that ample and sufficient notice? What occurred in the year 1828, when the right hon. Gentleman the Member for Tamworth was leader of the Government in this House? We had a Speech from the Throne—

"We are commanded by His Majesty to recommend the early attention of the House of Commons to an inquiry into the revenue and expenditure of the country."

Now, I ask the House, is there any analogy between this instance and the one before us? A sacrifice was required of the House—every Member was called upon to give up his right and privilege of criticism on this important subject—the House had a fair warning of what was to occur; but have we had a fair warning in the present instance? We met yesterday for a Committee of Supply; and the right hon. Gentleman the Chancellor of the Exchequer suddenly rose up and said, "I am going to prevent all criticism in this House, and will send the estimates upstairs." He did so, to the astonishment, I am sure, even of Gentlemen sitting on his own benches—in fact, to the astonishment of every Gentleman who has not a place in the Cabinet. And what are his reasons? The right hon. Gentleman has not given any reasons; he has given us precedents, and they do not apply.

In the year 1828, the right hon. Gentleman (Sir R. Peel) proposed the appointment of a Finance Committee in this House; and what did he say on that question? The passage is very short and instructive, and applies admirably to the present case. He said—

"I do not propose this Committee with the object insinuated—of deluding and deceiving the people of this kingdom, or of procuring from it a recommendation for increased taxation, or founding on its recommendation a proposition for increased taxation."

But the most curious thing is, that the right hon. Gentleman (Sir R. Peel) in that instance — as in other instances former Ministers had done—proposing a Finance Committee for the purpose of constitutional reforms, and, being perfectly justified in this course—used language which is really a censure on the conduct of the present Government, because they are proposing this Committee for exactly different purposes. They are not proposing it for economy; but they are proposing it — I will not say to delude or deceive the people, but they are proposing it—"to procure from the Committee a recommendation for increased establishments, and founding on its recommendation a proposition for increased taxation." Well, Sir, I think it will be admitted that the question of precedent cannot be insisted upon; and if there be no precedent to support it, let us look to the principle involved in the course proposed. It is neither more nor less than shifting the responsibility of the Government upon a Committee of the House of Commons. If, in fact, a Committee of the House of Commons is to assume the functions of a Committee of Supply, why also should not a Committee of the House of Commons assume the functions of a Committee of Ways and Means? If a Committee of the House of Commons, exercising the functions of a Committee of Supply, is to prepare the estimates, why not leave it also to that Committee of the House of Commons to ascertain the means by which those estimates are to be paid? As far as I can form an opinion of the temper of the House, it would perhaps be more easy and more convenient for the Government to propose the income-tax in a Committee upstairs than in a Committee downstairs. This is not a proposition that can be separated from the rest of the financial exposition with which we were favoured the other night. You may permit the present step to be taken without any opposition to the Government; but are you also prepared on Monday night to be equally goodnatured? I think the Government have made a great mistake in the course they have recommended to us; but you don't mean to oppose them. Happy men! whose very blunders only prove the anxiety of their opponents to assist them. I cannot understand why panic should pervade the land. The noble Lord was expected to announce the necessity of large armaments; but he has made an appeal to the passions rather than to the purses of the country. People are excessively alarmed. Many believe that the deficit is produced by new fortifications. But the speech of the noble Lord authorises no such conclusion. As to the militia vote which he intends to propose, a Committee on the Militia Estimates is appointed every year, and this vote he might with great propriety have left to a Committee. It is the character of the Militia Estimates, as contradistinguished from the other estimates, to be prepared by a Committee of the House. Such Committee might have constitutionally prepared the estimate they might think necessary, and then the noble Lord might have signified a gracious message from Her Majesty recognising the loyal labours of the Committee. Though I shall follow the example of the noble Lord the Member for King's Lynn, and not oppose Her Majesty's Government in the present instance, I cannot allow the occasion to pass without entering my protest against the course which they have taken. It is quite unauthorised by the practice of Parliament, and is little conducive to the dignity of Her Majesty's Government. If it had been proposed in a Speech from the Throne, there would have been the appearance of a *dignus nodus*. But that we should be called upon here to meet in Committee of Supply; and that, without notice or preparation, in a hasty, hurried, inconsistent, and incoherent manner, Her Majesty's Government should come down to do one thing, and rise in their places and do another thing — is conduct which I cannot think calculated to raise the character of public men, or of an Administration in this House.

MR. NEWDEGATE wished to know whether he was to understand the right hon. Gentleman the Chancellor of the Exchequer as intimating that the Committee were to inquire with closed doors into the distribution and disposition of Her Majesty's forces?

The CHANCELLOR OF THE EXCHEQUER: I never said, the Committee was to sit with closed doors. I was under a misapprehension when I stated that Committees of this kind were secret. What I did at the time intend to say, and what I now say is, that the Committee ought to have the power of suppressing any part of the evidence, or any of the documents laid before it, the publication of which might be injurious to the public service. I think it proper that they should have the power to exercise if they find it needful; but otherwise I do not propose that they should be invested with that power.

MR. NEWDEGATE wished to know whether the inquiry would refer to the distribution of the forces?

The CHANCELLOR OF THE EXCHEQUER: I shall, perhaps, best answer the hon. Gentleman by reading two resolutions adopted by the Committee, which sat in 1834, on the military and colonial expenditure. They express their opinion, first, that the Government ought "not to reduce the number of the garrison of Gibraltar;" and, secondly, that in certain contingencies "the force in the Ionian Islands may be diminished." That, I apprehend, applies both to the distribution of the forces, and to their amount.

MR. HUME wished the Committee to be properly constituted, so that it might do its duty fairly. If a large proportion of those who were on the Committee were Members accustomed to support large estimates, the Committee would not be properly constituted. But he hoped Her Majesty's Government would take care that the larger proportion of the Committee should not consist of those who had been hardened—if he might use the expression—into callousness when dealing with estimates. Unless the Committee were so selected, it would not be satisfactory to the public. An hon. Gentleman had read some passages of a Speech from the Throne; it was to be regretted that Ministers had not made a similar recommendation on the present occasion. He (Mr. Hume) had not contemplated additional taxation; but when called on to renew the former taxation, they ought to consider the general state of the revenue. The right hon. Baronet the Member for Tamworth had made a most important change in taxation, having introduced a principle which, being sound, ought to be extended to the taxation of the country in general. A Committee ought to be appointed to consider how so many millions of taxes were raised—to ascertain whether they were raised in the best manner—and to determine whether changes could not be introduced in the mode of raising them, with less oppression to the subject, less expense in the collection, and more in conformity with the principles which the right hon. Gentleman had introduced. Objections had been made to devolving on a Committee of the House powers and duties which properly appertain to Her Majesty's Government. But the circumstances of the country placed the matter beyond the ordinary formal rules. They had adopted a new principle which ought to be carried out. He hoped the Committee would consist of Members who would give their undivided attention to the subject, and who had not grown familiar with large estimates. He trusted the Government would not ask the House to vote any more men than were voted last year till the Committee had reported, because if there was one thing on which the country was more united than another, it was in thinking that there should be no increase in public establishments. He should be misleading the Government as to the general feeling of the country if he did not tell them that there ought to be no increase till the Committee had reported.

SIR R. PEEL: The hon. Member for Buckinghamshire (Mr. Disraeli) has referred to some remarks which I made on the subject of this Committee; but he certainly misapprehended me if he thought my observations went to show that the course Her Majesty's Government proposed to pursue was sanctioned by the precedents which were alleged. I intimated an opinion that there was a difference between the precedents and the course they proposed to pursue. My chief object yesterday was to consider whether precedent would sanction the appointment of a Secret Committee to inquire into the expenditure of the country. My recollection was at variance with that of the noble (Lord J. Russell) and of the right hon. Gentleman (the Chancellor of the Exchequer). Though former Committees had exercised a discretion, and most properly so, in withholding information most material for them to receive, possibly most material for the public interest to conceal, yet my impression was that those Committees were "Select" Committees, not "Secret" Committees. The right hon. Gentleman may have been misled by the course which Mr. Pitt followed in appointing Committees by ballot. In 1817, when

Lord Castlereagh was in office, a question was raised on the subject. There was, however, a departure from the precedent given in the time of Mr. Pitt, and the Committee was appointed by nomination instead of by ballot. I believe I am strictly right in saying that in former times Committees were "select," without powers of secrecy beyond what their own good sense and discretion suggested. It would be very unfortunate, and the result would not be likely to give satisfaction to the country, if there were any departure from this rule. If any good is to be effected by the Committee, it will be by giving information on a great many points. Though I do not oppose the appointment of the Committee, I was perfectly ready to give my opinion on the estimates submitted by Her Majesty's Government. And the noble Lord, I am sure, will concur with me in thinking that no Select Committee can suitably discharge functions which properly belong to Her Majesty's Government. It is for Her Majesty's Government to state the amount of the force which the public exigencies require. I certainly did not understand that this Committee was to be appointed with a view to get rid of executive responsibility—to redeem the Government from any of the duties which can only be performed by the Government. I was prepared to consider the estimates as proposed on their responsibility. I speak from too recent experience not to be aware how heavy that responsibility is. I believe the imputations thrown on the Executive Government in reference to an increase of the estimates are utterly unfounded. It is the interest and it is the desire of a Government generally to bring down the estimates so far as they can be brought down consistently with the public service; and those impressions in the public mind, that the object is to secure the power of making new military appointments, of having commissions to give away, and so of gratifying the supporters of the Government—the impressions which exist on that head are, I believe, utterly erroneous. I believe that it is decidedly for the interest of a Government, looking to the stability of its administration, to make the estimates as low as they can. It is my firm impression, if there existed a Government impressed with other views than those which had reference to the public necessities, their manifest interest would be to gratify the House of Commons by reduced estimates. After the panic which prevailed in this country about a month since, I am glad to find the tide has ebbed so fast, and that the alarm on the subject of invasion has visibly abated. I was afraid the Government might have been unduly influenced by that alarm; and I am relieved when I learn that it is not intended to make any increase in the military or naval force. I read a letter published by a noble Friend of mine, the Earl of Ellesmere, stating the course which would be taken in a certain event by the Guards—to walk out of London; and the duty which would be imposed upon the Lord Mayor—to convert the Mansion-house into a place where billets would be found for the French army. I thought that that letter presented a most imperfect and unjust account of the spirit of Englishmen—not only of the spirit of the military, of that splendid corps the Guards—which my noble Friend indeed afterwards relieved from any imputation—but of the strength of the country, and the spirit of the men of mature age—nay, I say, of the oldest men and the oldest women. I firmly believe, if the Lord Mayor, instead of taking steps for the defence of the metropolis, were to undertake the duty of finding billets for the French army. he must do so in secret. I defy him to show his face in Cheapside. If an attempt were made to subject this country either to invasion or insult, it is difficult to estimate the spirit with which such an attempt would be repelled. I say nothing against the propriety of taking proper precautions; for, though I know perfectly what would be the ultimate result, yet I know also that even the most partial success must be accompanied with ruin to many, with loss and misfortune to others, and with great desolation. But, I confess, after hearing the account of the estimates stated—after the comments made by the most liberal as to the necessity for enormous precautions—that so far from being astounded by the propositions of the present estimates, I was relieved when I found that what I thought a wise decision had been come to, not to increase the naval or military force. I am glad there is no increase. None but the Government can perform the duty of considering what ought to be proposed for the national establishments. But when their proposition is made, the circumstance must be very peculiar which would induce me as a private individual to offer opposition to the proposal so made by the responsible Government. I should not feel called upon to oppose what the Government, acting under

a sense of the heaviest resposibility, considered conducive to the public welfare, as affecting the security of the State, and the most vital interests of the country, unless, indeed, I saw on the face of the measure that it was manifestly injurious to that security and those interests. Looking to the state of the world, at our immense colonial empire, and the disposition to extend it, almost from year to year—New Zealand one year, some new Australian settlement another year, then Hong-Kong —the same being done every year with the goodwill of the community, and especially of the mercantile body—seeing all this increase of our colonial empire, I am not suprised that the necessity of keeping up large military establishments exists. I cannot see what has happened in China within a very recent period without feeling that it is impossible to foretell what may occur in remote regions of the globe, and how soon the necessity may arise of providing for increased demands of our possessions. There is no increase proposed in the regular military or naval forces. There is an increase in the marine force, and in that corps connected with the artillery, which it is impossible to organise without a considerable time for discipline. I am not prepared, if the Government say it is desirable to add to the marine force, or to that force of the artillery which cannot be increased upon the instant—if they, on their responsibility, state that it is for the public service, I should not find myself in a condition to oppose what was so brought forward on the responsibility of any Government. I shall not fall into the error, into which, perhaps, the noble Lord has fallen, of dwelling on the increase of force made by particular Powers. But, looking at what is passing in our extended empire—looking to the state of India—looking to the progress of events in Spain —looking to what has taken place in Mexico, and to the spirit which animates the American republic, greatly, I believe, to its own detriment, and to the detriment of public interests—looking to the circumstances of the times, with no other means of information than any hon. Gentleman possesses—I do not think it unreasonable to propose that in the present year the Army and Navy shall not be reduced. That is the conclusion to which I come, founding it upon what every Gentleman may observe for himself. I was, therefore, prepared to discuss, and to give my assent generally to, the estimates at the present moment, without this Committee; but as Her Majesty's Government invite the co-operation of this House in considering, at least, all the details of the estimates, in considering the establishments connected with the military force, and the mode of conducting the military service of the country; and as it is not proposed that the Committee shall interfere with the discretion of Government in regard to the amount of force to be maintained, but shall merely exercise the fullest latitude with regard to all the branches of expenditure—I think it is possible that public advantage may be gained by the appointment of such a Committee, as I think that public advantage has arisen from Committees of a similar nature in former years. I agree with an hon. Member, however, that the amount of this advantage will greatly depend upon the construction of the Committee. If it is not exclusively composed of men who are, as has been said, "hardened in favour of large estimates"—if it is not exclusively composed of men devoted to mere views of economy without regard to other considerations; but if it is composed of men of official business habits—of honourable and independent men, who will give their minds to an impartial consideration of the public expenditure—it is probable that a reduction may be made, and considerable advantage gained to the public service with regard to the mode, of conducting it, particularly considering that twenty years have elapsed since any such Committee was appointed. Retaining my opinion, then, that I depend upon seeing a Select Committee as distinguished from a Secret Committee, with its information as patent to the world as is consistent with a due respect to the public interest, I acquiesce in the appointment of the Committee, expressly concurring in the just observations of the noble Lord (Lord G. Bentinck). that I think it would be highly objectionable for the Government to abandon their proper functions and duties as an Executive to the proposed Committee; and I give the best proof of the sincerity of my adherence to that opinion, because I was prepared to give my assent to the estimates generally, without this preliminary inquiry.

Mr. BRIGHT said, that the panic referred to by the right hon. Baronet who had just sat down, had been created by a belief that an attempt was to be made, as in former years, to increase the military expenses, and therefore unnecessarily to in-

crease the taxation of the country. The House was aware, that some years ago the Russians were expected in the Thames; and very soon afterwards there was an increase in our military expenses. After that, a French Prince wrote a very foolish pamphlet; and another increase in our expenditure followed that. His firm opinion was, that the cry raised on those and subsequent occasions, with respect to the defenceless state of the country, had its origin entirely in the wishes of a party out of doors, connected with the military department of the country, to increase our expenditure. He did not charge military men with unpatriotic motives in doing this; but it was admitted, that when men's minds were directed to one department and to one object, they were likely to entertain a very exaggerated notion of its importance. He repeated, that the recent panic in the public mind had arisen from the fear that the taxation of the country was to be unnecessarily increased, at a time when the sufferings of the country were extraordinarily great. The right hon. Baronet (Sir R. Peel) had made one mistake in the course of the observations he had made. He had stated, that there was to be no increase in the Army. Now, if he had understood the statement of the noble Lord aright, as well as what had been said by the right hon. Gentleman the Secretary at War, the fact was, that in consequence of the cessation of hostilities in India, 5,000 men were coming home to England to be added to the permanent force here, which he regarded as tantamount to an increase in the military force of this country. It was quite clear, that if there had not been these 5,000 men to provide for, there would have been a decrease in the Army Estimates of the present year. The right hon. Baronet had also made some observations respecting our colonies, which he hoped the country would take to heart. If the colonies had had more responsibility—if, when they quarrelled with the native tribes, they had been made to pay for the wars which they originated—he suspected there would have been fewer quarrels and fewer wars. If the New Zealand Company and the New Zealand colonists had had to bear the brunt of the squabbles which had been created in New Zealand—if the colonists of the Cape of Good Hope had been made responsible to some extent for the expenses of the war with the Caffres—he suspected there would not have been 1,100,000*l.* to pay for it. He begged to notice one other point which the right hon. Baronet had introduced, respecting the responsibility of the Executive Government. He acknowledged that no man living knew more of that than the right hon. Baronet. He (Mr. Bright) was willing to make as much allowance for the Government as any man in the House; but at the same time he could not forget that every individual Member of that House had a responsibility within certain limits as solemn as that which attached to the noble Lord. What was his own responsibility, for instance, as the representative of one of the largest constituencies in the United Kingdom, observing, as he did, how pauperism was increasing, and the country suffering from one end to the other; seeing that the taxes were at present larger than ever they had been before in time of peace; and knowing that there was a great and increasing dissatisfaction in the country with the want of economy on the part of its representatives in that House? He admitted the high responsibility of Government, but he could not forget his own; and, standing there as he did, the representative of a large constituency, who were suffering from the present stagnation of trade, and who were watching, and reading, and knowing everything that was done in that House, he could not sit in silence, and allow estimates to be brought forward which were larger than usual—not very much, perhaps, but still increased without any good ground stated for it. The noble Lord, it was true, did not propose a sudden great increase; but, from his speech, he understood that the policy of past years, which had been to make a gradual increase, was still further to be pursued; and, seeing that the military estimates had been increased from eleven to seventeen or eighteen millions in the course of eleven or twelve years, he would ask what security had the country, or the House, that the Government would not in ten years more raise the estimates five or ten millions more? It was impossible to conceive a course more dangerous than that of the House allowing this unlimited and constant increase of expenditure to go on. He trusted that, whatever the responsibility of the Executive Government might be, the House would never forget its own; but insist that for every 1,000*l.* of public money expended, there should be a good reason rendered why. With regard to the sensitiveness of some hon. Gentlemen with respect to the Committee to be appointed, was it to be said

that the Army, and Navy, and Ordnance, were services so sacred, that they must be withdrawn from the control of the House? If the Committee recommended anything unwise, or if the House should determine anything imprudent with regard to the Estimates, Her Majesty's Government did not need to comply with the recommendations of the Committee or the House unless they liked. They could abdicate their office if they could not comply, and leave upon others the responsibility of the changes which should be made.

COLONEL SIBTHORP protested against the Select Committee. He augured no good from it. Everything would be wrapped up in mystery; and not only would the House not get the whole truth, but they would get no truth at all. If it must be appointed, however, he hoped it would take into its serious consideration the salaries of the public departments, which were far beyond what they ought to be. He had no confidence in the present Government. Where to get a better he did not know — for nobody would take office after them—but worse they could not get.

LORD J. RUSSELL: I think it right to correct a misapprehension into which the hon. Member for Buckinghamshire fell in the course of his speech. The hon. Gentleman stated that the appointment of a Select Committee on this subject was equivalent to an abandonment by the House of its privilege of voting on the Estimates, and that Members were making a sacrifice thereby of their power to vote on such occasions. Now, the fact is, that nothing could be more mistaken than the views of the hon. Gentleman in this respect; because the appointment of the Select Committee, although it may put the House in possession of information which may perhaps be useful for its guidance, does not deprive the House of any of its powers whatever. The hon. Member charges my right hon. Friend the Chancellor of the Exchequer with not having brought forward any precedents for the appointment of this Committee. Though, perhaps, the precedents of former years have not been cited which bear immediately upon the present cases, yet good authorities have been shown for the course the Government is now taking; and, considering the last occasion of the appointment of a Committee of this kind, I think it fair to say, when the income of the country was less than it is at present, and when our expenditure was greatly contracted, there was only one Committee to which the whole question of our finances was referred. And now when our income is greater, our expenditure increased, and the extent of the empire much larger, it can hardly be expected that all the various questions in connexion with the financial policy of the country ought to be referred to a single Committee; and therefore Her Majesty's Government have thought it right to divide the subject. But in referring these questions to different Committees, the House does not by any means abandon its power over them. The hon. Member is quite right in saying that the resolution to propose the appointment of these Committees was not taken by the Government at the commencement of the Session, but that it was adopted unexpectedly. I confess I did not, at the beginning of the Session, think it necessary to do more than appoint a Committee on the Miscellaneous Estimates; but in consequence of the misapprehensions which appear to prevail as to the other estimates that have been prepared by the Government, and laid on the table of the House, I afterwards thought it advisable to have the matter calmly and dispassionately considered by a Select Committee. The right hon. Gentleman the Member for Tamworth spoke quite correctly when he said that, with respect to two great branches of the service—the Navy and the Army—we do not propose any increase; and whatever increase we have proposed as regards the Marines was not in consequence of any alarm which has lately affected us, or any publications which have lately appeared; it was distinctly announced last year, and was only not carried into effect because it was not deemed advisable then. So far, then, from proposing any great armament, we have proposed the same number of men for the Army and the same number of men for the Navy; and as regards the Marines, we have only proposed a small addition, which we announced our intention to do last year, but which was not then carried into effect. So much in reference to the misapprehension that we were proposing a large increase to the military and naval forces. It was a misapprehension which I really think was not likely to have lasted long; but still I have thought it advisable, in consequence of that misapprehension, to have the subject examined by a Committee of this House, and to have the advantage of any suggestions of

economy they can offer with respect to certain branches of expense. I must say, that of late years those who used to take a prominent part in enforcing economy have interfered very little in that matter; while those who took the most active part in the debates on the estimates have been professional Gentlemen connected with the Army and Navy, who, as the hon. Member for Manchester (Mr. Bright) has said, without meaning to reflect upon them, were naturally enough more intent upon the improvement of the Army and Navy than in enforcing any strict economical considerations. The consequence of this pressure upon Government has been that the estimates have been increased rather that diminished. So far as we are concerned, we have not given way to this pressure, except in cases where we thought there were just claims; but still, no doubt, the general effect has been a very considerable increase. But, with regard to the number of men to be voted generally for the Army, the Navy, and the Ordnance, I declare again what I stated last night, the Government do not wish to get rid of any portion of their responsibility. I think that the consideration of such questions properly belong to the Executive Government; and that with them rests the responsibility of saying what is the amount of force which they think in the present state of the world is necessary for the efficiency of the public service. The hon. Member for Manchester is quite right in saying that the House has functions to perform as well as the Executive Government. If the House should think the estimates extravagant, they have an undoubted right to cut down 10,000 or 20,000 from the Army, or 10,000 or 5,000 from the Navy, if they should think it desirable. It is not for the Government to resist the economy of the House; their remedy in such circumstances, as the hon. Member for Manchester has shown, is to abdicate their power. I am sorry to hear that in such an emergency Her Majesty will not have the services of the hon. and gallant Member for Lincoln (Colonel Sibthorp), who, while lamenting the defects of Government, declines to come to the rescue of the Crown. Before I sit down I wish to take the opportunity of correcting a misapprehension into which the hon. Member for Manchester has fallen with reference to my speech the other night. The hon. Member attributes to me the avowal that it is the policy of the Government to increase the estimates year by year. Now, certainly, whatever language I used, this was not my meaning. I have heard much —perhaps more than the public have heard—of the insufficiency of our forces, and that we had never made any preparation for sudden hostilities. Now, I wished to show that so far was this from being the case, that we had already made the very preparations which persons wished us to make; that we had year after year been increasing our forces; that we were therefore in a situation of as great strength as we were required to be; and that we had nothing to fear from a sudden outbreak of hostilities, however unexpected it might be. It is evident, however, that unless we had gone on gradually improving our defences year by year, we could not have been in this position of strength. If some of our dockyards, for instance, had required additional defences, and if we had not begun to improve them in 1840, it might be that in 1850 we should have to vote a much larger sum for that purpose. It was in that way that I spoke of the increase going on continually, and to show that that which those who were disposed to talk alarmingly of our situation said had never been done, and was neglected by repeated Governments, had, in fact, been doing, and that we were carrying into effect all the plans neccessary for our defence in case of an outbreak of war. I thank the hon. Member for Manchester for giving me this opportunity of making this explanation. I agree with him that there are points well worthy of our consideration, such as the one he adverted to with respect to the Cape of Good Hope. A very large incursion of the Caffres took place, which was not known for a long time to the Government at home, either the former or the present. The Governor upheld the power of the Government, but incurred very great expense. No Government here could have prevented the expense being incurred; but it is a point of consideration, and in that I agree with the hon. Member for Manchester, whether a considerable portion of the expense so incurred shall not be borne by the colony. I admit at once, that the Government of this country, being the Government of a great Power, must defend the lives and property of Her Majesty's subjects in whatever portion of the world they may be placed. In no one colony belonging to Her Majesty can they allow either the life or property of a British subject to be destroy-

ed—they must use every means in their power to afford protection; but still I consider it would be hard upon the people of England that the whole expense should fall upon the mother country. In the same way it is always contended that wherever British subjects are to be found, in whatever part of the globe they settle, they expect, and naturally, in any case of danger or outrage, whether from the assault of a foreign country or a popular insurrection, that their property and lives should be protected by a British force. That makes a large force necessary. For whether at Messina or Palermo, whenever disturbances break out, the first question asked is, "Where is the ship—where is the British flag—to afford protection?" It is the same also in the Canton river; whenever there is any infraction of the treaty, the immediate cry is, where is the flag of England for our protection? Any Executive Government will be very much to blame, and liable to censure, if the name of a British subject is ever less respected than it is now by foreign Governments. The House will feel the force of these observations, and in a Committee of the whole House I shall not shrink from the responsibility which I have taken upon myself by the propositions laid before the House. I can assure my noble Friend the Member for Lynn, that I will not shrink from that responsibility, and I want no Committee for the purpose of screening me from its consequences.

Mr. BANKES said, the noble Lord had presented to the House the proposition of his hon. Friend the Member for Buckingamshire in a much wider sense than his hon. Friend himself had intended. His hon. Friend by no means meant to say or had said that the appointment of this Committe would entirely take the subject out of the hands of the House; but he was right in saying that the appointment of the Committee and the report of such a Committee might have a very different effect upon individual Members of that House when they came to give their attention to the subject of these estimates; for it would very often happen that an hon. Member, who would be very scrupulous as to the vote he was to give on his individual responsibility, when he found that a Committee had sat upon the subject, would justify his vote to himself, and, as he thought, to the public, by relying on the report of the Committee. He thought, therefore, his hon. Friend was perfectly correct in saying, that by appointing a Select Committee they did in a great degree withdraw responsibility from the Ministers of the Crown as well as from individual Members of that House. The hon. Member for Montrose had said, and he agreed, it was very much to be regretted that, if this Committee were to be granted, it had not been recommended in a Speech from the Throne. In point of fact, the Committee was appointed in consequence of a speech of the hon. Member himself—for if he had not made that speech, and given notice of that Motion, there would have been no Committee. He did feel, however, with regard to the hon. Member's Motion, and the appointment of this Committee, that there was this disadvantage attending it—that since they had heard so much on the subject of national defence, and public alarm arising from that cause, so much of the jealousy of foreign nations, who were as anxiously watching our movements, as it appeared we were watching theirs, and turning so minutely to their debates; when it was found that the estimates brought forward by the Ministers of the Crown, without any recommendation from the Throne, were delayed—and delayed they would be—foreign nations, who were troubling themselves as much with our debates as it seemed we paid to theirs, might think there was a hesitation in this country to grant in aid of the Ministers those things that were necessary to prepare for our national defence; and in that respect he thought the delay might be mischievous; but in other respects he concurred with the hon. Member, that in the peculiar circumstances of this country, when distress was pressing so much upon a large portion of the population, it was desirable the people should be satisfied that, if it were found necessary to grant them continued large amounts for the public service, the estimates had been fully and minutely inquired into; and he was glad that financial considerations would come before the House before they went into the examination of the estimates, because he thought it would take off that impression from the public mind that was acting so injuriously and unjustly to our great national services, that the Army and Navy were the cause of these additional burdens to the country. As to what the noble Lord said respecting a misapprehension of part of his speech, he (Mr. Bankes) thought it arose from the noble Lord when he spoke of the militia, and of what he proposed as the establish-

ment of it, having spoken of it as a beginning. The noble Lord spoke of the 150,000*l.* which he proposed to apply to the militia as the beginning of a new system; but he (Mr. Bankes) hoped they should not hear much more of that militia scheme this year; and if the militia were ever adopted as part of the system of national defence, he trusted the noble Lord would consider it practicable, as he (Mr. Bankes) believed he might, to make it a voluntary and not a compulsory service; in which character it would be highly popular.

Sir R. H. INGLIS must express the objection he felt, and which had so often been made before, to any Government delegating its duties and responsibilities to others and governing England by a Committee of that House. His only consolation in this instance was derived from the phrase in the beginning of the address of his right hon. Friend the Chancellor of the Exchequer, that if their estimates were not agreed to, they were prepared to abdicate; and from the statement of his noble Friend, that if the Committee should not approve of the estimates which, upon the responsibility of office, he had laid before that House, he would abdicate the functions of which in that case the House would consider him unworthy. In doing so the noble Lord's conduct would be worthy of his high position. If the noble Lord were prepared to adopt estimates framed on a different principle or a different distribution of them from that which he himself had proposed, he would be utterly unworthy of receiving the confidence of that House. It was because he believed that his noble Friend would act up to his high position, and would maintain the propositions he had submitted to the House, that he consented to the Committee. It was upon that ground alone that he could consent to the appointment of a Committee to consider that which he believed the Minister, on his own responsibility, and for the last twenty years, had taken upon himself.

Captain HARRIS expressed his hope that the appointment of this Committee would not be taken as a precedent sanctioning the same course in future, and said that the right hon. Baronet the Member for Tamworth had cast ridicule on the panic that existed on the subject of foreign invasion. Perhaps in some degree it was deserving of it; at the same time the feeling that gave rise to it was not without foundation. He could only state that he had heard able officers both in the Army and in the service to which he belonged—men to whom fear was as little known as to any men, say, that steamers might elude our squadrons and throw troops on our shores which we had not adequate land forces to resist. His own opinion was, that looking to what was occurring in Paris, if the war party should get the upper hand in France— [*Cries of "Oh!" and laughter.*] Hon. Members might cry "Oh!" but to him the reserve of a Minister was not necessary, and he would openly express his opinion, that with the possibility, nay, probability, within a few years, of a body of troops being thrown on our shores, the present land service ought to be made equal to the emergency. There appeared to be now a due appreciation of the danger; and, for his own part, he should give the noble Lord his cordial support in the estimates he had proposed.

Mr. SLANEY begged merely to offer one suggestion to the Committee about to be appointed, which he thought was worthy their consideration. It might be well for them to take into account the fact that money produced now a greater quantity of money's worth than it did fifteen or twenty years ago: that, by the diminution of prices of commodities, money now went further than it did then. And the Committee might see whether such a diminution of the sums paid to various persons might not be effected in consideration of the greater length to which their monies would now go, than when their payments were originally fixed. If that could be done, then without giving less salaries than were given fifteen or twenty years ago, and without employing fewer persons, or diminishing the value of their services, a considerable saving to the public might be effected. And if he were right, he was sure the noble Lord at the head of the Government would be the first to acknowledge the possibility of lowering the estimates, and the last to refuse to make such a diminution, if convinced of its practicability. He would only add, that he hoped the Committee would be fairly appointed, and that the Gentlemen comprising it would go to the performance of their duty with a determination to attend to the good of the country.

Mr. S. CRAWFORD had heard no satisfactory reason given to induce him to change his mind. He thought that the public mind ought to be allowed to act

upon the public expenditure. He feared the Committee was only to be used to prop up extravagant demands. If it were not so, he could see no other purpose for which it was appointed. The expenditure of the country ought, in his opinion, to be openly canvassed. Its examination by Committees had had no effect, for it had gone on increasing from year to year. He had no confidence in the operation of a Committee. The public voice would be deprived of its proper force by the appointment of such a tribunal. And he was of opinion that the public voice had not even in that House itself sufficient weight, nor could it have unless there were an extension of the suffrage.

MR. COBDEN: I am bound to say, that, for my own part, I cannot concur in the reasons put forward for objecting to the appointment of the Committee proposed. It is assumed that if this Committee is appointed, and the Army, Navy, and Ordnance Estimates are referred to twelve or fifteen Gentlemen upstairs, the discretion of objecting to the estimates, or proposing a reduction in them, will be taken away from this House. Now, I do not understand that to be the case. As I understand it, you are appointing a Committee not only to examine and determine what should be the expenditure of your Army, Navy, and Ordnance, but they will also have to superintend and inquire into the mode of taking contracts and similar things. Now, I do not consent to refer it to them to say whether a certain amount of expenditure is necessary. It is said in this House and out of doors, that there will be some mysterious revelations made before this Secret Committee; that an illustrious and noble Duke will be called before them, and other parties, able to impart many important secrets connected with the defence of the country. Now, I believe there are no such secrets. The newspapers now-a-days give us the secrets of every foreign Government sooner than our diplomatists. I believe also that there are no plots formed in these days. Everything is a matter of discussion among our neighbours across the Channel; they cannot dispose of a five-franc piece without having a discussion upon it in the French Chambers, and making it the subject of a party Motion. This Committee, then, will take from me no discretion in opposing any part of the sum demanded for the estimates that I may think extravagant. I stipulate for this as one condition for assenting to its appointment, because it is generally the case that as soon as a subject is referred to a Committee upstairs a Member cannot rise and speak upon it without being told, "You must wait for the report of the Committee." Now, I shall consider myself as free to vote with the hon. Member for Montrose for a reduction of the expenditure after the appointment of this Committee as before; and if any one rises to propose a reduction of 5,000 men in the Army and Navy, or of the 5,000 men who are coming from India, I shall hold myself at liberty to vote for it, and shall not consider it a good argument to be told, that there is a Committee sitting upstairs to report upon this subject. We hear a great deal of the responsibility of Government, but we also hear a great deal on this subject that the public will not recognise. The responsibility of the Executive Government is this, that they have the responsibility of proposing certain estimates of expenditure. But there is a responsibility besides with us when we adopt this expenditure. We have to vote the noble Lord the money which is taken from the people, and we cannot screen ourselves under the responsibility of the Government if we vote more than the people can afford to pay. For the pinch is here after all, although you may make light of it—how are the people to pay the money? There may be a dispute how the money is to be raised, whether the people are to pay a property-tax; one party may say one thing, and one another. I am glad it has come to this. I have always said that when the budget came out, common sense would be listened to in the country. There is now a great deal of common sense in the country, and I expect that you will find it difficult to deal with this new feeling in favour of peace. I agree with one remark of the hon. Member for Bucks, namely, that as far as economy is concerned, the Reform Act has proved a failure. In almost every other respect I admit the Reform Act has done wonders, but in this respect it has failed; it has not been followed by the economy in the public service that we expected. If we maintain this doctrine, that the Executive is responsible for the expenditure, and not Parliament, we shall never do anything to effect greater economy. If we admit the doctrine that the Executive Government, and not Parliament, are responsible for the expenditure, and that all we have to do is to vote the money, a Government will be able to raise more money under a represen-

tative system than under any other form of government. I defy any despot whatever to increase the taxation of the people in the manner now proposed if they were in the same situation as the community of this country are at present. Why, he would be afraid of his neck! He dare not do it. If the Executive throw upon Parliament the responsibility of voting this expenditure, and Parliament says the responsibility rests with the Government, who is to be really responsible for it? I hold that this responsibility rests with us entirely. It is said that our Army and Navy expenditure is necessary on account of our colonies; and then the people are flattered about the extent of our colonial dominions. The right hon. Baronet the Member for Tamworth has talked in this way, and the people are called upon to maintain our colonial glory. Now, don't let us flatter and mislead the people on the subject, by talking and boasting about "our empire upon which the sun never sets." The Spaniards used to flatter themselves in the same way, and see what has become of them. There is one subject connected with the Navy Estimates which the right hon. Baronet and the noble Lord cannot omit to mention; I refer to the lamentable affair which has taken place at Canton, in the melancholy massacre of six of our fellow-countrymen. I wont allude to the question whether these six individuals were imprudent, or whether the Chinese Government were to blame in the matter. We shall be told that an increase of our naval armament is necessary to protect our countrymen better in this part of the world. Now, when I read in the newspapers the particulars of this atrocity, expecting that this question of the insufficiency of our armaments would be raised, I turned to a return for which I moved of the amount of our force in the Tagus during the last twelve months. I found that this atrocity was committed on the 5th of December last, and that on the 1st of December there were lying in the waters of the Tagus ten ships of war, including four steamers, with 590 guns, and 4,812 sailors—so that while we had this force in the Tagus we had not a single sailor at Canton to protect the trade of our merchants in that quarter. And then, after that disposal of our forces, the Government make this accident an excuse for getting more money and adding to the naval expenditure. I hope that the Committee that may be appointed will have under their consideration any information that can be given to them respecting the disposal of our fleets, the expenses of the arsenals of our colonies, and such things. If they direct their attention to these and other articles of expenditure, they may do a great deal of good in that way. I think, then, we may profit by the result of their labours, and I do not therefore object to their appointment, always reserving to myself, as I have stated, the liberty to vote against any increase of our expenditure, and holding myself also free to vote with any one who may propose a diminution.

Admiral DUNDAS begged to contradict one point of the hon. Member's speech. It was not the fact that there was not one steamer in the Canton river. A steamer was always there, and at the time of the late melancholy occurrence, a man-of-war steamer was in the roads.

Mr. BUCK was reminded of some of the predictions of the hon. Member for the West Riding as to the prosperity that would result from a repeal of the corn laws, and the failure of these predictions. There was not one interest that was not suffering at the present moment.

Mr. C. P. VILLIERS said, that if anything was fresh in the recollection of the House, it was that the agricultural interests were to be ruined if the corn laws were repealed, and that the country gentlemen were to leave the country. He could happily congratulate the hon. Member on being as much disappointed in all his prophecies, predictions, and anticipations as the hon. Member could possibly say of those who sat on that side of the House as to the success of free trade. One of the principles which hon. Gentlemen opposite held most tenaciously was, that the prosperity of the country depended upon the high price of corn, and that the revenue of the country depended thereupon. "How will you collect the revenue," it was said, "if you repeal the corn laws?" Now, what had been the price of corn last year? The price had been higher than for twenty years before, and provisions of all kinds had been dearer. What had been the result of this very high price of corn? Why, that had been the very cause of the depression of trade. One of his anticipations as to the result of free trade was, that they would not have high prices in future. It was impossible to do away at once with all the injuries that the corn laws had inflicted, and it would take some years of free trade to do that. There was only one congratulation

that he could offer to the hon. Member (Mr. Buck)—that he had been wrong in every one of his predictions.

Motion agreed to.

Committees appointed.

THE SLAVE TRADE.

MR. HUTT rose to move—

"For the Appointment of a Select Committee to consider the best Means which Great Britain can adopt for providing for the final Extinction of the Slave Trade."

He said, it was now more than thirty years since the Government of Great Britain undertook to deter foreign nations from engaging in the African slave trade. Many persons had since thought that this was not a wise determination of the British Government; that the attempt was never likely to be successful; and that even if it were certain of success, the British Government had no call and no authority to enforce rules of conduct on other nations in matters with which it had no political concern, and in regions where, by the law of nations, it could exercise no jurisdiction. It was, however, a practical question that he had to lay before the House. He should call the attention of the House to the actual results of our policy in regard to the slave trade, and then ask the House to determine whether it was expedient to continue that policy. Whether this country was right or wrong in originally entering on a crusade against the foreign slave trade, it was not to be denied that they had pursued it for more than thirty years with unflinching spirit and expense: including the sums which they gave to Spain and Portugal, they had by this time probably spent more than 21,000,000*l.* in suppressing the traffic, and they were every year adding considerably to that large expenditure. In their solicitude for the welfare of the people of Africa, they had sacrificed in untold numbers the lives of their own countrymen, and they were every year, with the same object, offering up additional victims. The noble Lord, in adverting on Friday night to the subjects which might possibly disturb the harmony of civilised nations, did not mention their zeal about the slave trade; and yet in the course of the last few years that zeal had more than once brought them into angry collision with all the great maritime States of the world, and might any day put to hazard the peace and happiness and advancing civilisation of the age. Now, he could believe that all these risks and sacrifices were undertaken at the bidding of a very wise policy, if he could find out that they had derived from them any commensurate advantage. But after thirty years' vigorous enforcement of that policy, what were the practical results? What had they done? Had they suppressed the slave trade? He thought he could satisfy the House that the slave trade was more extensive now than before they undertook to suppress it. Well, had they lessened the atrocities, cruelties, and murders by which in times past the trade was accompanied? The papers last laid before Parliament, and every officer who had returned from the coast of Africa, declared that the world never saw such horrors as were being perpetrated in those regions in consequence of their interference. Could they see, however remotely, the ultimate triumph of their policy? There were not ten men out of Bedlam who believed in anything of the sort. Well, then, was this state of things to last for ever? Should they not at last pause in their career, and inquire whether they were really moving in the right direction?

"A conscientious man," said Mr. Burke, "will be cautious how he deals in blood. He will feel some apprehension at being called to a tremendous account for engaging in so deep a game."

He was satisfied that if they would grant him an investigation of our preventive measures, he would convince most men whose heads were not turned with spurious philanthropy, that on the shores and seas of Africa they were pouring forth human blood like water, for an object which it was impossible for us to attain. He knew it was a favourite notion with some people, especially naval officers, that they did not succeed in suppressing the slave trade because they did not go to work with sufficient liberality and expense; and that if they would only largely reinforce our squadrons on the west and east coast of Africa, and cover the shores of Cuba and Brazil with steam vessels—that, in fact, if they would only multiply their expenses—they would put down the slave trade. Now, he utterly distrusted any such opinion. He believed that if they would pour forth the whole Treasury of England on this wild crusade, not only would they not suppress the slave trade, but they would only aggravate its nature. How often had he heard it stated in that House, and in Committees of that House when engaged in commercial investigations, that whenever the profits on a contraband trade amounted to 30 per cent, to put it down was impossible? But in this case the profit exceeded 30 per cent, or even 300 per cent. 1,000 or 1,500 per

cent profit was no exaggeration of the profits of the slave trade. It was stated the other day in the Court of Exchequer, that a man was bought on the coast of Africa for 4*l.*, and they knew that he was often sold in Brazil for 80*l.* There was a smuggling trade which realised 2,000 per cent profit; and did they think that naval officers and men-of-war could put it down? It was not a question of men-of-war or steamboats. Tell him only the rate of profit to be realised by engaging in the trade, and he would tell them with certainty whether the trade were carried on or not. They always had been—they always must be—defeated by the enormous gains of the traffic. The hon. Member read a letter, addressed to the Secretary for Foreign Affairs by Mr. Gabriel, to the following effect:—

"It is much to be feared, that with such inducements and temptations as these, the slave trade will still be carried on in this part of Africa; at all events it will be obvious that nothing short of the most decided and strenuous measures on the part of Her Majesty's Government, by guarding the whole of this coast with an ample and efficient naval force, can hold out any prospects of complete success in the humane object which Great Britain has so long and so beneficently exerted herself to obtain. In proportion to the number of slave vessels captured and destroyed the value of slaves will increase in Brazil; and the same measures thus calculated to enhance the value of the slaves in the New World by preventing their exportation from Africa, leaves the market there overstocked, and produces a proportionate reduction in their first cost; thus the profits become so enormous as to induce unprincipled speculators to run any risk in the traffic; and I believe I may with truth assert, that at the present day, one successful trip out of six is attended with a fair return of capital to slave dealers."

Another point to which he would direct the attention of the House was the perfect state of isolation in which the British Government was left. With the exception of the Government of the United States there was not a Government in the whole world that honestly and heartily co-operated with our own. There was the Government of France, with a fleet of twenty-six vessels on the west coast of Africa; but France was not provided with the necessary authority to act against slavetrading vessels, and not likely to acquire it in a hurry. The fleet might be useful for other purposes; but as for putting down the slave trade, it might as well be cruising in the British Channel. The treaty with the King of the French had done rather less towards extinguishing the slave trade than that with the Government of the Queen of Portugal. The abject condition of Portugal was a painful subject to approach. There was an age when Portugal was at the head of European civilisation—when the victorious arms of Portugal kept every shore of the ocean in awe, from Morocco to Japan—and when a hundred and seventy independent princes paid an annual tribute into the Treasury of Lisbon. Now, the State of Portugal was prostituted to the worst purposes of the slave trade; many of the officers were little better than stipendiaries of the slavetraders, for it had been shown that slaves had been introduced into the possessions of that Government—the Cape de Verd islands—in Portuguese men-of-war; a fact which was communicated by Mr. Rindall, the British Consul at those islands. Spain was not a whit behind Portugal in encouraging the slave trade. In the last paper from Cuba he had noticed the name of Queen Christina herself in connexion with some slave transactions. He trusted it was possible that that elevated and respected lady—that distinguished personage—was unacquainted with the source from which some of her revenues were swelled; he felt confident she would repudiate it. The Countess de Quassada, wife of the Captain General of Cuba, derived an income of something like 10,000*l.* a year from the countenance and protection afforded to the slavedealers. The Captain General himself, General O'Donnell, of course knew nothing of these matters; and when an indignant letter was sent to him by Mr. Kennedy, the Commissioner, pointing out the fact, he told the writer that he should be compelled to return his letters unopened if he persisted in corresponding upon such a disagreeable subject. Another high functionary, the Spanish Chief Judge of the Commission Court, derived a large income from the same cause; and he was not only the largest slaveowner in the island, but, together with the Colonial Secretary, he was the chief protector of the slave trade. The slave trade was the most thriving branch of the commerce of Brazil; everybody seemed to turn an honest penny by it; and it was prosperously carried on by means of well-organised joint-stock companies. One person, who a few years ago was walking in rags about the quays of Rio without a penny in his pocket, was now by slavetrading alone a man of immense wealth, and decorated with the highest order of knighthood in the Brazilian empire. While he was anxious to do justice to the people of the United States, and had admitted that their Government

had been the only one to co-operate honestly with us, he was bound to add that that people appeared anxious to obtain distinction as shipbuilders to the slave trade. These vessels, as was known, were of a peculiar build, and were generally from the yards of the United States. One of these, the *Agnes*, was built expressly for the slave trade, and was said to be the property of a Quaker at New York. These vessels were generally consigned to some house at Rio, and by that house let on hire to one of those grandees who make their fortune and earn their nobility by the slave trade; they were then sent to the coast of Africa freighted, usually with British goods, which were placed in one of those depôts of which so much had been lately heard, and the cargo being landed, a bill of sale was given to the slavetrader's agent. The vessel then changed hands, hoisted Brazil colours, took in her cargo of slaves, and came home. Such was generally the history of one of those clippers. An active business was carried on in America in supplying these ships for the trade. But were the Americans the only people who, with humanity on their lips, did not hesitate to extract a profit from the slave trade? It would be in the recollection of the House, that in 1845 the right hon. Gentleman the Member for Tamworth stated, that he was not prepared to deny the fact that British subjects were engaged in the slave trade. It would seem, then, that the people of England—setting up as the moral censors of the world—who passed Acts of Parliament making slavetrading in Portuguese and Brazilian subjects piracy by the municipal law of England—who seized with severity the vessels of other nations engaged in that traffic—did not come into court with clean hands. It was not meant that British subjects were directly concerned in slavetrading operations, although the blue book had some evidence on that point; but that British merchants at Rio, and even at Liverpool—that British merchants were in the habit of shipping cargoes of goods, provided and prepared for the great slave market on the coast of Africa; that those goods were sent through Cuba; and that there was no doubt they were sent with a guilty knowledge of their destination and purpose. It was meant, also, that the capital of respectable British merchants in Rio and the Havannah was extended to the slave trade. Unless such proceedings were stopped—and how they were to be stopped he knew not, unless the communication of British subjects with the coast of Africa and Cuba and Brazil were to be altogether interdicted—foreign nations would attach no credit to the disinterestedness of our motives—it would be said by foreigners that we were carrying on a kind of lucrative humanity by forbidding to others the traffic for which we granted impunity to our own subjects for the sake of profit; and it would be believed that with humanity on our lips there was something far less honourable in our practice. He believed that the consideration which had been given to the subject—the knowledge of the perfect isolation of the British Government in this respect—had caused most persons to abandon the notion of putting it down by force. Mr. Clarkson and the Anti-Slavery Society had denounced putting down the slave trade by force, and it was that which had induced the noble Lord now at the head of the Government to state, in 1840, in a formal communication to the Lords of the Treasury, that any such attempt would be "scarcely possible if the whole British Navy could be employed for that purpose, and that it was an evil never to be adequately encountered by any system of mere prohibitions and penalties." Sir Fowell Buxton, whose name could never be mentioned in that House without expressions of respect and esteem, pronounced the system to be an error—observing, "that while we had been trying to extinguish the traffic it had actually doubled its amount." The plain fact was, that the number of slaves carried away from Africa had increased since we undertook to suppress it. In 1795 Mr. Pitt communicated to Parliament that the number of slaves dragged from Africa was 80,000 annually. In 1820 the African Society stated to the Duke of Wellington that the number was 70,000 annually. From that period our exertions to suppress the trade had been incessant; and yet, in 1839, Lord J. Russell, then Colonial Secretary, stated the number at not less than 100,000 slaves taken from the west coast of Africa alone. So much for the preventive measures of twenty-five years. The latest official accounts represented the number of slaves actually landed in America during the year 1847 at about 50,000. These accounts were necessarily defective; and Mr. Hesketh, the British Consul at Rio, stated, in 1846, that every kind of deception was resorted to, both by the authorities and the people, in order to conceal the extent of the slave trade from him. It

appeared, however, that to effect the sale of 50,000 live negroes in America, to supply the place of those who were captured by our vigilant cruisers, who were destroyed in the middle passage, and who perished immediately after landing in America, double that number must be shipped from Africa, in consequence of the vigilance of our cruisers and the frequent captures made; so that the number would stand at 100,000 annually taken from the coast of Africa; thus giving the slave trade of 1847 an excess over that of 1820 of about 30 per cent. The British Commissioners at the Cape made the following report to Lord Palmerston in 1846 respecting the slave trade on the east coast of Africa:—

"We regret to learn that the traders resident in the Brazils have not relaxed in their undertakings; no less than twenty-five vessels, three of which were steam vessels, being reported as out on this nefarious pursuit from the port of Rio de Janeiro alone. These vessels, it appears, have been despatched in sets of five or six; and before the person through whom this statement reached us left Rio de Janeiro, three of them had returned and landed their slaves; and as only two have been brought in here for adjudication, it is to be feared that by far the larger number will ere this have been equally successful. * * *

"We regret to state that we have no reason to alter the opinion we have already had the honour to lay before Her Majesty's Government that the slave trade continues to be carried on between the east coast of Africa and the Brazils to an extent which defies the exertions made for its suppression by the small number of cruisers at present employed on this station."

Such was the state of the trade at the end of 1846. No later official intelligence was before Parliament; but in the *Times* of December 27, 1847, he found the following information from the coast. After enumerating a great number of captures which had been made of slavers the writer remarked—

"Notwithstanding these captures, and others sent in Sierra Leone, we learn by the latest advices that the slave trade was very brisk to the northward."

But evidence of this kind was scarcely required. The truth was that the extent of the slave trade depended upon the price of sugar in Brazil. An occasional check might be given to its activity, but as long as the production of slave labour was in high demand the slave trade would be in successful operation. Neither laws nor arms could prevent it. The most horrible feature in the slave trade had always been the cruelties inflicted upon the victims, and it was hardly necessary to remark that these cruelties had been aggravated by our protective measures. When the traffic was lawful the slaves were carried to appointed stations on the coast at suitable seasons of the year, and embarked at leisure in vessels adapted in some degree for their reception. The chiefs who sold and the traders who bought, although men of lawless habits, were at least as merciful as their interest required; and it was their interest to keep slaves in health and vigour. But as soon as this country undertook to stop the trade by force, the whole system was changed. The slaves were now assembled for embarkation in a hurried and clandestine manner. The appearance of a man-of-war near the spot will often delay the shipment until they are wasted by privation and disease; and then as the sickly are unsaleable they are often ruthlessly and deliberately murdered. Captain Mansel, of Her Majesty's ship *Actæon*, informed the Secretary of the Admiralty by a letter dated "Ascension, Oct. 2, 1846," that the native chief of Lagos, finding he could not dispose of the numerous slaves on his hands, had caused upwards of 2,000 of them to be slaughtered, and their heads to be stuck on stakes round the town of Lagos; and he added, that in July last he was informed by the Governor of Sierra Leone that 300 slaves had met the same fate, under similar circumstances, in the neighbourhood of the Gallinas. Dr. Bryson, a surgeon in the Navy, in making a report last year to the Lords of the Admiralty on the climate and diseases on the African station, remarked, that since the increase of the squadron, and other measures, whole cargoes of slaves had been so long detained on the coast that the provisions became exhausted, and they were left to die of starvation or disease; sometimes they were hurriedly driven from place to place, as opportunities offered for their embarkation; and what between their sellers, their buyers and their protectors, their case was pitable indeed. Was it better when they got on board? The slavetraders were using smaller and smaller vessels. Mr. Goring, the Consul at Pernambuco, thus wrote to the Earl of Aberdeen in 1845—

"The mode in which the African slave trade was formerly conducted in this port, has now assumed a new feature. Instead of the larger classes of vessels, varying from 150 to 300 tons burden each, a smaller kind is now employed, of from 45 to 60 tons, namely, the *Maria*, 52 tons admeasurement; the *Maraquinhas*, 52; the *Deliberacao*, 54; the two *Diligencias*, 54 and 55, and the *San Domingos*, 56 tons burden. These insignificant looking craft, rigged with boom, main and foresails only, sail fast, are of light draught of water, and built low, that they may more easily escape

detection. Should the unfortunate victims be collected in sufficient numbers to fill the vessels, they are speedily transferred from the shore to the miserable den, sufficiently noxious with only a moderate number, but intolerable when from 150 to 300 beings are stowed in the hold of one of these small craft, without space to down or scarcely to stir."

He had some striking descriptions of the state of things on board these slave ships, but would not read them, for the simple truth respecting it was so utterly incredible to minds not prepared for it by previous training, that such facts would appear gross exaggerations. One of these ships carrying away into everlasting slavery its closely packed cargo of men, who but the day before exulted in the wild freedom of the desert, represented a greater amount of human misery and human depravity than was permitted in any other guise to exist on the face of the earth. And for a large portion of this crime, and agony, and death, the Legislature of this country was responsible. Horrible as the middle passage proverbially was, we had augmented its horrors. Our darling but hopeless project of stopping the slave trade by coercion, required that from 26 to 30 men-of-war, and from 3,000 to 4,000 seamen and marines, should be employed on the African coast—the most pestilential region of the world. The annual destruction of life among these gallant fellows, ought, if our proceedings had no other drawbacks, to make us pause in our career of suppression. In 1827, the *Eden* lost in six months 110 men out of a ship's company of 160. In 1837, the *Raven* lost seventeen by death, and the *Curlew* twenty. The average deaths in that year, on the coast, were more than 13 per cent. No doubt these statements, and a recommendation of the entire withdrawal of our fleet, would provoke the indignation of certain gallant Gentlemen in that House; and when Lords of the Admiralty and naval officers heard proposals for the reduction of ships in commission, they had always some letter or despatch at hand to prove the change uncalled for and impossible. Thus, in 1845, a gallant Admiral, then a Lord of the Admiralty, and whose personal character, not less than his great professional services, entitled him to the utmost consideration—Sir C. Cockburn—met a similar statement, by denying that the waste of life and constitution among the crews were any longer formidable, and, after the manner of Lords and Secretaries of the Admiralty, he drew out of a blue box a despatch, which proved that the care and attention the Admiralty had paid to the subject had nearly neutralised the peculiar malignity of the African climate. Yet in that year the mortality among our cruisers on the African station was three times as great as it had been found on an average of twenty years in the West Indies; and on board one ship, the *Eclair*, not less than seventy gallant fellows fell a sacrifice to the fever. The same box and refutation, perhaps, awaited him now. The financial branch of the subject must not be overlooked, though it was difficult to state a result from returns which seemed compiled to conceal information. The ordinary expenses of the squadron on the west coast of Africa were stated in an official paper at 300,000*l.* per annum. The ordinary expenses incurred for other vessels on account of the slave trade, including the cruisers on the east coast of Africa, probably amounted to 150,000*l.* more. Then came the expenses at Sierra Leone, Fernando Po, Gambia, and the Gold Coast, 20,000*l.*; commission courts, including superannuation, 25,000*l.*; bounty on captured slaves, 50,000*l.*; bills drawn on account, 30,000*l.* 600,000*l.* was the sum which he sincerely believed would be annually spared to this country, if we would renounce a system condemned alike by reason and by experience. But he might be asked, how, then, he would deal with the slave trade? He would reply, without doubt or reservation, leave the slave trade to itself. If the miscreants of any nation chose to engage in it, let their guilt be on their own heads; leave to a higher tribunal than any you could erect the moral government of the world. The noble Lord had said that if we withdrew the preventive squadrons, the stream which had been so long restrained and pent up would burst forth like a torrent, and that for one man now dragged into slavery five would be carried off. Be it so. Better that five should be carried off without molestation, than that, as now, one should be carried off alive while four expired in agony, and their blood should be on our heads. But he denied the statement that five would be carried off. Would the people of Cuba and Brazil view with indifference some hundred thousand slaves suddenly added to their black population (already so disproportionate to the white), with the prospect of an unlimited addition every year? In the Foreign Office there was a copy of a petition agreed upon by the people of Cuba to the Government of Madrid, and signed by every proprietor in a vast district, praying the Imperial Government to take some steps to

stop the slave trade, to prevent the island from being inundated by a slave population, and so to avert from them the otherwise inevitable horrors of a tremendous insurrection. Every one acquainted with the state of opinion in Brazil knew that the same kind of alarm (and not without ample reason) existed there. Effeminate as they were, and ignorant, the mere brutal instinct of self-preservation would warn them to shun the fate of St. Domingo, in 1795. Depend upon it, that when they saw that their own safety depended upon themselves, and that unless they stopped the importation of slaves, their own fate was inevitable, they would protect themselves by stopping it. That they could do so we had sufficient evidence in the fact that General Valdez, while Captain General of Cuba, by the influence of his own personal and honourable example, stopped the slave trade of Cuba. It was our blundering and ignorant humanity which alone sustained the slave trade. To extinguish it we should leave it alone. Such was his (Mr. Hutt's) case; and he hoped the House would think that he had made out a *primâ facie* case for a Committee.

MR. JACKSON said, in rising for the first time to address the House, he should not be doing his duty if he did not state the practical knowledge which he had acquired during a period of sixteen years' traffic with almost every portion of the western coast of Africa, from the river at Sierra Leone down to the Cape of Good Hope. He should support the proposition of the hon. Member, because he had brought a grave though indirect charge against those British merchants who were engaged in the trade between this country and the coast of Africa. The hon. Gentleman seemed to lead the House to the inference that those British merchants had, to a certain extent, a guilty knowledge—that, directly or indirectly, they were engaged in the slave trade. Now, he on his own account, and in conjunction with his partners, had, as he had just intimated, carried on for sixteen years a trade between Liverpool and the western coast of Africa; he and they had had commercial transactions with every river along that extensive coast—he might say almost with every creek—from Sierra Leone, the River Bonny, the Galinas, the Gold Coast, the Bight of Benin, the Cameroons, and so on, down to the Cape of Good Hope; and, on their behalf and his own, he could assure the House they had never been parties to any transaction connected with slavery or the slave-trade. He might further be permitted to state that no persons in this country had done more to exterminate slavery and the slave trade from the west coast of Africa than the merchants engaged in the trade there; in proof of which he need state only a single fact. The house with which he was connected thought fit to embark in a speculation of this character, not, he admitted, as a matter of philanthropy, but of pounds, shillings, and pence—the object, he presumed, of every commercial transaction, whether in Africa or elsewhere. They had found that the slavers who had dealt with the chiefs upon the coast of Africa interfered, most directly, with their legitimate trade; and, with the view of counteracting them, his house sent out a vessel upon what really was a voyage of discovery. The vessel was placed under the command of a clever and experienced man, who was instructed to go into every river, creek, and bay along the whole coast, to ascertain, if possible, by what means the slavers purchased their slaves, what goods they exchanged for them, and to bring samples of them to England in order to see whether they could not, by direct commerce, induce the chiefs who sold their slaves to sell their labour instead, in the shape of the produce of the country in exchange for British manufactures. This was done; and what was the result? Why the result was, that the captain with his vessel trafficked from creek to creek, from river to river, and from bay to bay—he brought home samples of the goods with which the Brazilian and other slavers fed the slave trade—and it was found that seven-tenths of them were British manufactured goods. What did he and his partners then do? Why, they freighted a ship with the same articles—they sent her into the very nest of slavery—and they found that during the whole time the vessel had her hatches open, to dispose of her cargo in exchange for palm oil, the slave trade was suspended. This was the answer he returned to the allegation of the hon. Gentleman, that the merchants of Great Britain were, to a certain extent, encouraging the slave trade. He agreed, however, that there was a necessity for inquiry. He was satisfied we were going upon the wrong track to put down the slave trade. We were expending hundreds of thousands of pounds uselessly every year with that intention; and he regretted to say he was convinced, by his sixteen years' experience, that human nature had sustained more cruelty and

suffering since they had attempted to abolish the slave trade, by the physical efforts to prevent it, than it had when there was no legal impediment to the traffic. This was a subject to which he had given great attention—almost his whole heart and soul; and he believed it was one upon which much good might be done in a profitable way. He felt that the manner in which our present relations with the coast of Africa were carried on was wrong. We were, to a certain extent, wrong in endeavouring to prevent the traffic which ought to exist between our West India colonies and the western coast of Africa; for he knew from experience that free labour to any amount could be obtained from those parts. He had never yet sent a ship to the coast of Africa, from which he had not heard that the Africans were willing to accept service without reference to time or place—indeed, twenty or thirty canoes, with twenty or thirty men in each, usually came off to offer their services—and he had no hesitation in saying, from having recently been in communication with men who had lately returned from the coast of Africa, that as much free labour could be procured there at 4*l.* 10*s.* per man as the West India islands could take; and men who were willing to work 12, 24, or 36 moons, and only asking that they might be sent back at the expiration of that period. As he had said before, this was a question of pounds, shillings, and pence. The price of a labouring man on the coast of Africa, as given by the slavedealers, was 4*l.* per man; the price of transporting him as a free labourer to the West Indies would be 4*l.* 10*s.* These men would willingly go to the West Indies as free labourers. They asked only to be protected by the British flag, and to be returned to their own country at the stipulated time. The cost of a slave, upon being landed in Brazil, was 100*l.* Let any hon. Gentleman compare the cost of the two—the free labourer at 4*l.* 10*s.* landed in the West Indies, and the slave at 100*l.* landed in Brazil—and then say which was the cheapest mode of raising sugar or coffee, and which would be most beneficial to us? He did not say it rashly, but on the authority of men who had been twenty-two, nineteen, twelve, five, and three years engaged in trade with the African coast, who were unanimous in the declaration that the amount of free labour which could be had from the coast of Africa was unlimited. If the House would do away with the foolish squadrons on preventive service there, and allow labour to be imported as freely as possible into the West India islands, there was abundance of it to be had at the smallest cost. The cost would be only one-twentieth of the expense of importing slave labour into Brazil; and it would amount to this, that the planter who had to pay 100*l.* for his labour could not compete with the West Indies, where the labour could be had for 4*l.* 10*s.* If, then, this free labour could be introduced, the result would be that every nation upon the coast of Africa would be ready to furnish a supply, and no person would attempt to export a slave, because the cost would be too great to enable him to compete with the free labourer. But these views were not supported as they ought to be; and he spoke now as a British merchant. He would only mention one instance. In 1839-40 the Government thought fit to send a squadron to the coast of Africa, under the command of Captain Tucker—a man highly respected, and against whose private character no one could say anything. That officer had instructions to the effect that he was to negotiate with the different chiefs of the native tribes upon the various rivers along the coast, in order to prevent an internal slave trade in their territories. It was with deep regret that he felt himself called upon to allude to a circumstance which was by no means creditable to the character of the British Government. Captain Tucker entered into a treaty with King Peppel, up the Bonny River, for the abolition of the slave trade in his dominions. The treaty was signed by the captain, and witnessed by seventeen masters of British merchantmen, who were trading on the spot for palm oil, being as complete a ratification as it was possible any treaty formed under such circumstances could receive. By that treaty it was stipulated that King Peppel should receive 10,000 dollars annually for three years in consideration of his abandoning the profits he derived from trafficking in slaves. The King drew for his first year's instalment bills drawn on the British Treasury, which he and his partners' agent discounted by giving him British goods to the amount; but when the bills were presented at the British Treasury, payment of them was refused. A precisely similar transaction, through another agent, occurred with respect to two other African princes; and if he and his partners had not felt more regard for the honour of the British name than the Government exhibited, they would have sent the bills into Africa, and demanded produce to their

amount; and the British Government would have been held up to everlasting disgrace for violating an engagement entered into with one of its own representatives, and witnessed by seventeen captains of merchantmen, several of whom were now living, and prepared to prove the truth of the statement he had made. The dishonoured bills were in their possession still, for they were reluctant to injure the British character by returning them protested to the coast of Africa. When such conduct as this was exhibited by the British Government, how could they expect the native princes to aid them in suppressing the slave trade? He had said, that our merchants on the African coast were subjected to ill-treatment, and he would give an instance of it. He knew of a merchant's ship being seized under the pretence of being designed for a slaver, because she happened to have a few extra watercasks on board, which the captain had provided in consideration of the health of his crew. The owner of the vessel, now occupying the highest post his fellow-townsmen could confer on him—and no man's character as a British merchant stood higher—not only endured great pecuniary loss from the detention of his ship, but suffered much disturbance of mind from the imputation of being engaged in the slave trade, than which nothing could be more abhorrent to his feelings. He must confess, that ever since the Committee sat in 1842 a dead set had been made at the Liverpool merchants, in order to create an impression that they were directly or indirectly engaged in the slave trade. When first he entered into the African trade—it was in 1826—only 1,500 tuns of palm oil were imported into Liverpool; when he left off business the imports of that article amounted to 25,000 tuns. The House might believe him, that the trade with Africa was altogether undervalued—he might almost say, overlooked. Yet our imports from Africa amounted in value to near 1,000,000*l.*, and they were all carried in British bottoms, manned by British seamen. More than this, too, they were chiefly exchanged for British manufactured goods. A more legitimate system of commerce never existed. If this commerce were fostered, instead of being discouraged, it would in itself put an end to the slave trade, because it would have the effect of making the blacks more valuable, as producers of articles of commerce, than they could be as exported slaves. The free labourers, also, on their return from the West Indies, would carry back with them some of the arts of civilisation. They would know how to till the ground—how to sow and to reap; and, by their means, the cotton plant would be cultivated on millions of acres, the produce of which we should obtain in exchange for our manufactured goods. He did not hesitate to say, that in a few years Africa would be able to take as many manufactured goods as we could conveniently supply. Instead of 1,000,000*l.* of exports, we might send 10,000,000*l.*, and a more legitimate trade did not exist on the face of the earth. Gold as coin was not known in Africa; dollars were seldom heard of; all our trade was carried on by barter, in which we exchanged British manufactured goods for the produce of the country. He begged this House and the Government to direct their attention to the increase of commerce with the African coast, because he knew that it would prove a fund of wealth, whilst at the same time it would be attended with the great advantage of doing away with the curse of the slave trade, in the manner which he had already explained to the House. He spoke with confidence, because he spoke from experience. His experience, too, had been purchased by considerable sacrifices. Two of his brothers and a brother-in-law had been sacrificed by trading to the coast of Africa, and he had seen many friends depart for that place who had never returned. All his experience had not, however, been of the same melancholy character. He had seen some friends return; one recently had come back in health, after twelve years' residence in Africa. When his house was engaged in the African trade, they did not hesitate to carry out traffic into the interior of Africa. They had a trading station where Davison's dust lies, 300 miles up a river, and where they did not hesitate to plant a white man, who had no protection but the good faith of the black man. They had ever found the relations of the blacks with them, when based on good faith and honest intentions met in the same spirit. He assured the House that the black character was misunderstood. No race of men were more intelligent, more desirous of obtaining knowledge, or more anxious to extend commercial relations, and advance in the path of civilisation. He recollected that one of the first vessels they sent to Africa carried out 1,000 barrels of gunpowder, and 10,000 muskets; one of their last vessels contained not a single barrel of powder, nor one musket; but amongst its

cargo was 1,500*l.* worth of household furniture. What, he should like to know, would tend, or had tended, to civilise Africa so much as the enterprise of British merchants? He and his partners had sent out house after house, and followed that up by sending out embellishments for the same. On the banks of the rivers where first they traded, they found the males and females in a state of nudity; but after the lapse of some time the women placed cloth over their loins, next covered their bosoms, and the men clothed themselves in jackets and trousers. [*Laughter.*] Although what he had stated might amuse the House, it must be allowed to be an interesting fact. He wanted the House to listen to these facts, in order that it might know that the efforts of the British merchants had not been altogether misdirected, but that, on the contrary, they had tended to civilisation. He was satisfied, that if they withdrew our cruisers from the coast of Africa, and permitted free trade in labour, we should not only benefit our own colonies in the first instance, but, by emancipating our commerce with the African coast from the restrictions which at present crippled its energies, that we should, ere long, give a deathblow to the slave trade by showing the African chiefs that it would be more profitable to employ Africans in raising produce, to be exchanged for British manufactures, than to sell them for slaves. He did not hesitate to say, that by adopting the means he recommended, they would more easily attain the great object which they had at heart, than by 10,000 ships manned by 1,000,000 of seamen.

Sir R. H. INGLIS was sure that the speech which they had just heard had been listened to with the attention which it well deserved. It was certainly one of the most remarkably successful first efforts which he had witnessed for many Sessions. Yet he could not, in thus alluding to it, refrain from asking himself whether there were not some misconception on his own part, or some mis-statement on the part of the hon. Gentleman, in one of his main propositions with regard to ridding Africa of its present native race for the benefit of the West Indies? The hon. Member seemed to state that the panacea for the wrongs of Africa on the one hand, and the present distress of the West Indies on the other, was the removal of a certain number of natives from Africa to the West Indies, who were to be purchased for 4*l.* in Africa, and were to cost 4*l.* 10*s.* each in sending to the West Indies, making his cost, when delivered in the West Indies, 8*l.* 10*s.* He understood that the hon. Gentleman's words were — persons who had recently been on the west coast of Africa and in the West Indies had said, that the price of an ablebodied man was 4*l.*; and that the expense of planting the same man in the West Indies was a further sum of 4*l.* 10*s.* Now, was not that, in fact, a slave trade? He understood that that was what the hon. Member said. If he misrepresented him, perhaps the hon. Member would set him right.

Mr. JACKSON: What he said was, that in his own experience he had always found an abundance of free labour offered; for as soon as vessels appeared off the coast of Africa, and backed their foretopsail, twenty or thirty canoes would put off, manned each by twenty or thirty men, who were most anxious to be engaged at the pay of a dollar a month, and who were willing to be fed upon rice and such refuse as the seamen would not eat. He also said, that the time they were to be employed was no consideration with them, whether for one or for three moons was immaterial; their great desire was to be under the protection of the British flag. Those men he had always found faithful, industrious, willing to serve under all circumstances — faithful even to death; and if it were necessary to bring them to England, in consequence of desertion or death amongst the original crew, they never hesitated to come; all their desire was, after a certain service, to be planted again upon their own coast. What he meant to say was this, that he would, with the consent of the Government, undertake to plant on the West India islands, free of all other charges, at the rate of 4*l.* 10*s.* each, free men, men born free, and being free, and who should be paid at the rate of one dollar a month, the only stipulation being that at the end of two or three years, they should take the produce of their own savings, and be permitted to return to their own country.

Sir R. H. INGLIS was not sorry he had given the hon. Member an opportunity of explaining his meaning; but he had certainly understood that the West India planter was to pay 8*l.* 10*s.* for a man delivered in the West Indies who had cost 4*l.* in Africa. It now appeared that the hon. Gentleman meant an exportation of free labourers. It was much to be regretted that the Committee which sat three or four years ago on the subject of free labour had not had the benefit of

the hon. Member's knowledge and experience. When the hon. Member spoke of his commercial transactions with Africa, it was only fair to ask him whether he had not, in the prosecution of commerce, derived some advantage from the protection afforded by Her Majesty's fleet upon the African coast? The hon. Member denied that merchants were directly or indirectly concerned in the slave trade; but it was evident, from a passage in his speech, that British manufacturers made the cloth for which slaves were exchanged expressly for that purpose. As regarded the speech of the hon. Member for Hull, it was hardly necessary for him to refer to many of the topics which he had brought under the notice of the House. It must be admitted, however much pain the acknowledgment might cost, that all the efforts made to suppress the slave trade, had tended only to aggravate its horrors: inasmuch as we had converted an allowed trade in our own hands into a contraband and smuggling trade in the hands of others: we had done enough, indeed, to liberate ourselves from the actual guilt of the traffic, but not enough to extinguish its horrors as perpetrated by others. He admitted that it was the duty of this country in 1806 and 1807 to rid herself of the crime of partaking in the direct practice of the slave trade; and if the effect were nothing more than that they had freed themselves from the guilt of participating in that un-Christian traffic, he should still rejoice; for, though the practice was continued by other nations, the guilt and the shame were not ours. But while he had admitted that the sufferings of the slaves might have been increased since the time when the slave trade had become smuggling and piracy, he was not of opinion that the present system was in itself, and necessarily, a failure. It appeared, by all concurrent testimony, that by making their system of blockade more adequate to the occasion, they might effectually suppress the slave trade on the African coast. Several eminent naval officers, who had been employed on that service, had declared that the remedy was in our own hands. Captain Butterfield had said that the coast could be so blockaded as to prevent the slave trade; that it had decreased while he was there, and had increased again when there were fewer men-of-war. Hon. Gentlemen professed to be very scrupulous as to the loss of life, and to be stimulated by sentiments of humanity in seeking to put an end to our African squadron; but the moment the question of pounds, shillings, and pence, came under their consideration, and the thought that a colony was at stake, all value of human life was forgotten. He believed that in the course of the eight years between 1794 and 1802, not less than 100,000 lives were lost in the Army and Navy, in contending for the preservation of the colonies. Now, he did not profess to be indifferent to the loss of life; and yet he could not but say, with regard to the loss of a few brave men on the coast of Africa, though he most deeply regretted that loss, they were but units; and, considering the object for which they were employed, he thought the sacrifice was one to which they might conscientiously be reconciled. The object of the hon. Gentleman's Motion was substantially a most Christian one; but it was quite obvious that the hon. Gentleman would enter the Committee, should it be granted, with a foregone conclusion. It was quite clear that the object of the hon. Gentleman was to remove from the coast of Africa that protection for lawful commerce, and that impediment to illegal commerce, which the British squadron was intended to present. He (Sir R. Inglis) did not complain of the Motion; but when he knew that the general effect of the statements made by the hon. Member would be to increase the prejudices which had long been growing, if not in the country, at least in that House, he could not but regret the language in which that Motion had been introduced to their consideration. They had heard hon. Members advocating the recall of that squadron; but he could not believe that the people of England were so indifferent to the cause in which a few years ago they were united as one man—when they demanded the abolition of the slave trade—or that they were so ready to abandon the next great question on which they were equally unanimous—and to achieve which they willingly sacrificed twenty millions of money—the abolition of slavery; he could not believe that they had so far abandoned their former principles as to agree with the hon. Member for Gateshead in his proposition that we should let the slave trade take its course. It was not for that that the English people had exerted themselves, and made such great sacrifices. He was told, indeed, that a great change had taken place in the principles and feelings of the people of this country, and that they would not now unite, as in the days of Wilberforce, to do as he bade them do. Though this might be true, still he (Sir R. Inglis) indulged the belief that it was not for the

sake of having sugar a penny or twopence a pound cheaper that they would knowingly protract the wrongs and sufferings of the people of Africa. Yet it was the fact that they were practically doing that, when they proposed, on the one hand, to encourage the slave-grown sugar of Cuba and Brazil, and, on the other, to withdraw from the colonies that protection which could alone enable them to grow sugar for home consumption.

Mr. HUME came down to the House prepared to support the Motion of his hon. Friend the Member for Gateshead. It was pleasing to him that he had given way to the hon. Member for Newcastle-under-Lyme (Mr. Jackson), because he might confidently say that within his recollection a more effective speech had never been made upon the subject in that House; and if that effect was given by a bare recital of facts it was all the more pertinent to the object they had in view. His hon. Friend, in bringing forward this Motion, had done great service to the whole community. His hon. Friend had been blamed for having again painted the horrors of the slave trade; but how was it possible to remove the prejudices of the people, and, unhappily, of Members in that House, on the subject, unless the real truth as to the dreadful nature of the traffic still carried on were made known? He could assure his hon. Friend the Member for the University of Oxford that no man looked back with more satisfaction than he did to the labours of Mr. Wilberforce. The exertions of that eminent man were supported by the country, and the cause of humanity was promoted. But the question before the House was quite of another character. The question was, whether, by maintaining an armed force on the coast of Africa, this country could prevent other nations from carrying on the slave trade? Did not the hon. Member (Sir R. Inglis) recollect that Mr. Pitt declared war against France because France threw impediments in the way of British commerce? Suppose, when the slave trade was sanctioned by the law of this country, France had declared that the merchants of England should not purchase slaves, or cultivate their estates in the West Indies by slave labour, what would have been the course adopted by England? There could be no difficulty in answering that question. Well, then, were they, the English nation, at liberty to say to other countries—"Inasmuch as we have abolished the slave trade and slavery, we insist upon your abolishing them also?" But this was, in effect, the policy of the English Government; and to this policy he had always objected. By adopting that policy England had been placed in a very unsatisfactory position with regard to other nations. Finding that, notwithstanding, all the attempts that had been made on the coast of Africa to suppress the slave trade had failed, was it, he would ask, wise to persevere in that line of policy? They had sacrificed a large amount of money and many thousands of lives in that vain attempt; it was time, therefore, that they should now admit that they had adopted a wrong course, and endeavour to free themselves from the consequences. All their efforts had been unavailing. Why, the noble Lord at the head of the Government had himself said, that if the whole fleet of England were employed on the African coast to put an end to the slave trade, that trade could not be prevented. If they wished to put down slavery, they should adopt the remedy suggested by the hon. Gentleman who seconded the Motion of the hon. Member for Gateshead—they should make free labour cheaper than slave labour. If they allowed the British West India colonists to have as much free labour as they required to enable them to compete with the slaveholders—if they allowed those colonists to obtain free labour at 4*l.* 10*s.* a head, they would soon put an end to the system of slavery. The moment the planters in our West India colonies were enabled to reduce the cost of the sugar they produced below that of Cuba and Brazil, there would at once be a cessation of the slave trade; but until that was done, he (Mr. Hume) believed they would not be able to diminish the slave trade, and the atrocities with which it was attended, in the slightest degree. He was satisfied that his hon. Friend (Mr. Hutt) would be able to substantiate in Committee the assertions he had made, that all the efforts of this country for the suppression of the slave trade had hitherto been fruitless; for there was scarcely a single fact mentioned by the hon. Gentleman which he would not be able to substantiate by evidence quite distinct from that which had been quoted by his hon. Friend. He (Mr. Hume) considered that, on principles of humanity, this country ought at once to withdraw its squadron from the coast of Africa; and he was satisfied that if they applied one-fourth of the amount which was now wasted in the maintenance of that squadron to supplying our West India colonies with free labour,

they would in a very few years do much more to effect the suppression of the slave trade than they had hitherto accomplished by all their efforts.

MR. CARDWELL said, that it was impossible not to concur with the spirit of many of the observations which had fallen from the hon. Member for the University of Oxford (Sir R. Inglis). He believed, that although the people of this country might feel that the system now in operation on the western coast of Africa was interfering with the natural trade of this country with that coast—was subjecting the country to very great expense in the matter of the Navy—and was sacrificing the lives of many excellent officers and men; and although they might feel, in addition, that it was exposing this country to many difficulties of a political and commercial nature, by creating uneasy relations between Great Britain and other nations with whom it was most important that we should maintain relations of amity and commerce, yet that with these feelings they might, from motives of humanity, be induced to overlook such weighty considerations. But if they happened to agree with the hon. Member for the University of Oxford, that by our exertions we had only aggravated the mischiefs we were attempting to prevent, then he was at a loss to conceive on what ground there could be any objection to go into the Committee which had been moved for. Surely, if there was one thing more clear than another, it was this—that on no possible ground—neither on the ground of treaties, nor on the ground of trade, nor on the ground of naval expenditure, nor on the ground of just consideration for their officers and men, nor on the great ground of humanity, which had led them to engage in this unsuccessful enterprise, was the *status quo* of the slavery question satisfactory to the House or to the country. Then, if this were admitted, and if, as was contended by the hon. Baronet opposite (Sir R. Inglis), they ought not to abandon the efforts they had been making for the suppression of the slave trade, surely they ought to inquire what course it was advisable they should pursue; and this was the proposal which had been made by the hon. Member for Gateshead, and which had been so ably seconded by the hon. Member for Newcastle-under-Lyme (Mr. Jackson). He supposed he might assume that the Government would not offer any objection to the appointment of a Committee for the purpose of inquiring how the horrors of the slave trade could best be mitigated; and he felt, therefore, that it would be impertinent in him at that hour to occupy the time of the House by any lengthened observations; but there was one part of the question which had not yet been prominently brought into notice, and upon which he was anxious to say a few words. The hon. Member for Newcastle-under-Lyme had given the House a very graphic narrative of the manner in which the legitimate commerce between Great Britain and the western coast of Africa was carried on; and the hon. Baronet the Member for the University of Oxford had asked, "Have you, in carrying on this trade, derived no benefit from the system now in operation on that coast at the cost of this country?" He believed, that if his hon. Friend (Mr. Jackson) had had the opportunity of replying to that question, he would have told them, that during his sixteen years' experience, he had found that system rather disadvantageous than beneficial. The late Sir Fowell Buxton, towards the close of his life, recommended a mode which he thought would have a greater effect in suppressing the slave trade than the futile system they had before been pursuing; and what was the course he advised? The cultivation, as much as possible, of ordinary legitimate traffic with the chiefs of the western coast of Africa. The opinion of his friend, Captain Trotter, and of many other persons, founded upon experience, was, that the encouragement of legitimate trade with the natives on the western coast of Africa was the mode by which the slave trade might be gradually put down. Now, he wished to call the attention of the House to an example afforded in the papers recently laid upon the table, of the way in which the system they were at present carrying on, sometimes operated upon legitimate trade. It must be remembered that this country was engaged in treaties with other Powers for the suppression of the slave trade—that they had established Mixed Commissions—and that, by the comity of nations, they were bound to assume, when they had formed a treaty with a foreign Power, that such Power was as sincerely desirous as they were of carrying the objects of the treaty into effect. If they had a Mixed Commission, consisting partly of British subjects and partly of Portuguese, they were bound to consider that the Portuguese authorities were equally anxious with the British authorities to carry out the objects of such Commission. By the provisions of the treaties on the

subject of the slave trade, certain facts were to be taken as constituting of themselves *primâ facie* evidence that a vessel apparently employed in legitimate trade, was actually engaged in that illegal traffic; for instance, the possession of a certain number of casks, and of a certain quantity of water. The casks might be intended to contain palm oil, and might be tainted with oil, but because they were capable of carrying water—though the water might not be fit to drink—their possession was *primâ facie* evidence that the ship was engaged in the slave trade. [Captain PECHELL: Security might be given before the ship sailed.] On the 4th of July, 1845, a vessel called the *Lady Sale* left Liverpool, with a lawful cargo, for the western coast of Africa. She had on board seven Kroomen, who were to receive 10*s.* a month each; she also took out a quantity of staves, which were necessary to make casks for containing palm oil, and an iron pot for boiling the oil. She went to the river Congo to carry on a lawful trade with the natives; and while there, a number of bamboo canes were brought on board, in order to form an awning over the deck to protect the crew from the heat of a tropical sun. Having landed a portion of her cargo, the ship was obliged to take in ballast, and she took what was most easily obtainable—the water of the Congo river. She had, therefore, a number of casks on board actually filled with water—flagrant *primâ facie* evidence of slavetrading under the provisions of the treaty. The *Lady Sale* was visited by the *Alert*, a British cruiser, on the 27th of September; by the *Cygnet*, another British cruiser, on the 9th of October; and by the *Prometheus*, also a British cruiser, on the 19th of October; and no circumstance of suspicion could be observed about her. On the 26th of October the *Lady Sale* was lying at anchor off Ambriz, when the captain was sent for on shore by the consignee of the cargo. During his absence the Portuguese cruiser *Constituçao* came up; and this was the statement of the commander of that vessel:—

"I went to examine the said brig, and they told me she was called the *Lady Sale*. On entering the gangway I saw on deck a boiler of very large size, which I afterwards found to contain nine Almades. On asking for the papers belonging to the ship they gave me no account of them, saying to me only that they were on shore; and, on my inquiring for the captain, they also told me he was on shore. All these circumstances induced me to suspect that the said brig was connected with the horrible and abominable slave trade; therefore, I went down into the hold, where I found an extraordinary number of casks full of fresh water, much more than necessary for the crew; also I found a large portion of sticks, some boards, and pieces of timber, with which a slave deck might very easily be formed, as the vessel has fixed beams. For all these reasons I still further suspected that the said vessel was a slaver."

Under these circumstances, the vessel was brought before the Mixed Commission for their decision. It so happened that the gentleman who represented Her Majesty at Loando had not received from the Portuguese Government the formal acknowledgment of his credentials; and only one English Commissioner acted, Mr. Gabriel, who seemed to have taken the utmost pains with the case, and whose report would be found at p. 270 of the papers laid before the House. No second Englishman could be found; and it was therefore necessary to have a Portuguese arbitrator. He (Mr. Cardwell) held in his hand a letter written by a naval officer commanding one of the British cruisers to the gentlemen of the British factories, in which he said—

"The commander regrets to add, that the English brig *Lady Sale* was tried at Loando yesterday, and, the judges not having agreed, an arbitrator was appointed. This gentleman was a Portuguese, and no doubt was entertained at Loando that the *Lady Sale* would be condemned."

He had before him the opinion of the English Commissioner upon the evidence, and the letter from the Foreign Office approving of the conduct of that gentleman. The Commissioner having gone over the whole history of the case with reference to the casks, the boiling-pot, the broken bamboos, and the stock of water, observed that he could not acquit the captain of a certain degree of imprudence, inasmuch as he was aware of the treaties, and also knew that at the time he filled the casks the water of the Congo was fresh. That water, therefore, although put into casks which had contained palm oil, was within the words of the treaty, which made the possession of a certain quantity of fresh water *primâ facie* evidence that a ship was intended for the slave trade. The Commissioner also stated that the captain had acted imprudently in not having an accurate account of all the rice he had shipped at Liverpool; but it had been proved that a portion of that rice was used for the food of the Kroomen, and that the remainder had been used for commercial purposes after the arrival of the *Lady Sale* on the coast of Africa. With reference to an observation which had been made by the hon. Member for Brighton (Captain Pechell), he

might state, that it appeared that before the *Lady Sale* left Liverpool, sufficient security was given at the custom-house that the casks should only be used to contain palm oil, or for other purposes of lawful commerce. The Commissioner said—

"The number of planks is not greater than this vessel ought to have carried upon the voyage in which she was engaged. They are not fitted for being laid down as a second or moveable deck, or slave deck, being in a rough state, of different sizes, and would appear altogether only sufficient to cover a very small portion of the surface of the hold, if they could be appropriated to such a purpose." . . . . "The rough spars of the different dimensions specified in the report of the survey are such as merchant vessels engaged in licit commerce are generally supplied with, as ship stores, when proceeding on a distant voyage."

The Commissioner then stated why the bamboos were used, observing that they were all broken for the purpose of making an awning, and he added—

"The *Lady Sale* is owned by Messrs. Horsfall and Son, a commercial firm of the first respectability in Liverpool, and who, during a series of many years' extensive engagement in the African lawful trade, have never, to my knowledge, been known to lend themselves in any way whatever to a breach of the severe laws of their country against aiding or abetting, either directly or indirectly, the inhuman and iniquitous slave trade."

But he wished the House to pay particular attention to the following statement of our Commissioner with respect to the effect of this case on the legitimate trade:—

"It appears, then, to be demonstrated, and I think abundantly, both by the documentary and oral evidence in this case, that the end Messrs. Horsfall and Son had in view by preparing and despatching this ship on a voyage to the Congo, was to endeavour to open legitimate commerce with the natives in that river—a laudable undertaking, which it is to be lamented has signally failed in the inception, since it is by extending and promoting British commerce, and the penetration of British mercantile enterprise into these remote regions, that we can alone hope and expect effectually to supplant the odious and accursed traffic in slaves, which, from the earliest periods of its existence down to the present day, has been so notoriously and infamously carried on by the subjects of other States, despite the well-known laws and treaties of their countries, which the British nation has for so many years, and at such an unlimited expense, so ardently and humanely endeavoured to carry into effective execution."

Such was the effect of this case, so far as the legitimate trade was concerned; but he trusted the House would bear with him while he carried the story to the conclusion, and showed what had been the fate of the unhappy British sailors so unlawfully condemned. In the first place, as he had before mentioned, the captain of the *Lady Sale* was on shore at the time of the seizure. A signal was made for the captain to come out, which he obeyed; but the captors did not allow time for him to reach the *Lady Sale*, but stood out to sea. The captain followed, and at a distance of nearly two miles from the shore his boat swamped. It was a coast where there were a great many sharks and a surf running high. The lives of the persons who had been in the boat were in jeopardy, and one of their comrades on board the *Lady Sale* implored the Portuguese captain to put out a boat to their assistance. This was refused; and it was only by the "send" of the sea assisting their swimming that the lives of the party were saved. The loss entailed on the merchants amounted to between 5,000*l.* and 6,000*l.*; and the men belonging to the *Lady Sale* were brought home to England on a charge of being engaged in the felony of slave trade. On the 24th of November they were given into custody, and until the 26th of February they continued prisoners. On the 26th of February they surrendered themselves at the Thames police office, when they were informed by Mr. Ballantine that there was no charge against them. One of the merchants wrote to the Foreign Office, demanding either to be prosecuted as a person charged with being engaged in the slave trade, or requiring that the imputation on his character should be withdrawn, and justice done him. It was not for the purpose of impeaching the conduct of the noble Lord opposite that he alluded to this case; but to show that if the proposed Committee should be appointed, they ought to go into the whole merits of this question, and not exclude from their inquiry the effect of what was now being done on the west coast of Africa on the legitimate trade between this country and Africa. He agreed with the hon. Member for Newcastle-under Lyme, and with Mr. Gabriel, our Commissioner, who was approved of by the Foreign Office, that the extension of the legitimate traffic was the way to suppress the slave trade; and, therefore, he hoped that the hon. Member for Gateshead, and those who might represent the Government in the proposed Committee, should it be appointed, would not overlook that important point. It was only with the view of bringing this particular part of the case more prominently before the House, that he had ventured to make these observations to the House. He did not wish to give any opinion as to the

course that should be taken by the Committee, for he did not want the Committee to be appointed with any foregone conclusion; but he said, that with respect to the uneasy relations created with foreigners, with respect to the expense, and with respect to the health and the lives of our valuable officers and seamen, the present system was unsatisfactory; and with respect to the great object for which this country at first engaged in the great enterprise—namely, in regard to humanity as respected the negroes, the present system, according to the confession of all men, from Sir Fowell Buxton, in 1839, down to the hon. Member for Oxford University on this night of the discussion, was also unsatisfactory. If, then, in all these respects the present system was unsatisfactory, and if no one was prepared to recommend any conclusion to be practically acted upon, there only remained the course suggested by the hon. Member for Gateshead—namely, that the House should inquire on the subject; and in that inquiry he repeated his hope, that the whole effects of the system, including those which it had on legitimate trade, might be fairly examined.

VISCOUNT PALMERSTON: I have already, before this discussion began, informed the hon. Member for Gateshead that it is not my intention to oppose the appointment of the Committee for which he has moved. I quite agree with what seems to be the general opinion of the House, that it is fitting that an inquiry should take place into the system which is now pursued for the purpose of effecting the abolition of the slave trade. If there prevails among any portion of the public, or of this House, an opinion that the measures hitherto adopted have not succeeded in accomplishing the object, that, of itself, is a sufficient ground on which the House may be fairly and justly called on to institute an inquiry for the purpose of ascertaining what are the causes which prevent the success of the measures adopted, if success has not been attained; and what other measures are more likely to attain the object proposed. Therefore I entirely concur in the Motion of my hon. Friend. I cannot, however, say that I equally concur in the statements and arguments on which he has founded his Motion; for, with all deference to him, I must be allowed to say, that there appears to me to be great exaggeration in his statements and great fallacy in his arguments. It is said that we have not succeeded in putting down the slave trade. Undoubtedly we have not; but it is a great mistake to suppose that the methods hitherto pursued have not succeeded in diminishing that trade to a very great extent; and even the statements and arguments of my hon. Friend themselves tend manifestly and clearly to prove that, in that respect at least, the efforts of this country have not been unattended with considerable success. In the first place, my hon. Friend quotes numbers, and says the number of negroes stated to have been carried to America in former times amounted, according to Sir F. Buxton, from 50,000 to 70,000 yearly — it is now 100,000 a year—and adds, that according to reports on which our information goes, the amount imported last year into Brazil amounted only to 40,000 or 50,000. My hon. Friend, struck with the inconsistency of these numbers, endeavoured to reconcile it with his statement that the slave traffic is not diminished, by contending that the number of slaves lost in the passage is equal to the number landed. I never heard the loss by the passages stated at such an amount. The hon. Member for Evesham, at the close of the last Session, in bringing the question before the House, stated, that whereas in former times the loss in the passage was 12 per cent, it was now between 16 and 17 per cent. My hon. Friend the Member for Gateshead, however, puts the loss at 50 per cent, in order to make the number carried from Africa double the amount landed in America, for the purpose of showing that the slave trade was not diminished. There is another circumstance in my hon. Friend's argument worthy of attention. He says that the temptation to the slave trade is produced by the great price of the slaves when brought to America. What is that but a proof that the supply falls short of the demand? I believe my hon. Friend stated the profit in this illicit trade to be 2,000 per cent on the outlay. Does not that prove that the supply is infinitely less than the demand, and does it not follow, as a logical and mathematical inference, that if those restraints by which the supply is now limited were taken away, and the supply allowed to be equal to the demand, that supply would of course be multiplied to a most enormous extent. Therefore, I say that, my hon. Friend's statements prove that, though the slave trade is not put down, yet the means adopted greatly narrow and diminish the supply. And it must be recollected that it was only within the last few years that these methods now

adopted have been really carried into full effect. Until 1839 the slave trade under the Portuguese flag was perfectly free on the south of the line, and vessels equipped for the slave trade, but having no slaves on board, were free on both sides of the line. It was only in 1839 that we obtained full powers with respect to the Portuguese flag on the north and south of the line; and it is only two or three years ago when the late Government proposed a Bill, which was afterwards passed into law, by which similar powers were obtained with respect to the slave trade under the Brazilian flag. Therefore, when hon. Members inquire what has been the effect of the measures hitherto adopted for the suppression of the slave trade, they must carry back their investigation to the time, not many years ago, when the cruisers of this country obtained those powers which are necessary to suppress the slave trade under the Portuguese and Brazilian flags, which, up to that time, had been accustomed to carry on the trade with impunity. However, I am quite ready to admit that the maritime police alone is not sufficient to put down the slave trade. I cannot admit, however, that which seems to be the opinion adopted by most Gentlemen who have spoken, namely, that the preventive means resorted to have aggravated the horrors of the slave trade. I know that this is the generally received opinion, which passes from mouth to mouth, and which is adopted without due examination of the grounds on which it rests; but I entreat any Gentleman who wishes to form a just opinion on the matter to look back to the debates before the slave trade was abolished by law by this country, and to the period when Fox and Wilberforce urged this House to pass laws to put that traffic down. Let them look to the pictures then drawn of the horrors of the middle passage, and I venture to say that these is nothing now occurring, however atrocious the sufferings of the negroes may still be, for which they will not find ample parallels in the accounts of the slave trade at that time. I am ready, then, to admit that a maritime police alone is not sufficient for the purpose we have in view. But I entirely deny the accuracy of the impression which seems to have been produced on the mind of the hon. Member for Montrose, that a maritime police is an interference with the power of other nations. This is a maritime police which is founded on treaty, and exercises no surveillance over the flags of any other Powers than those who have consented to its exercise. It is, therefore, not by any means a fair impression to create, that we are doing that of which other nations have a right to complain; and when other nations have expressed a wish to withdraw from their engagements with this country, we have abstained from enforcing an authority which did not belong to us, and have only exercised power where it has been authorised by treaty. With regard to the effect of this system of maritime police, I should say, that from the last accounts which we have received from Cuba, it does appear that for the last two years, 1846 and 1847, there has been scarcely any importation of slaves whatever. We cannot discover, from the sources of information which we possess, that more than 2,000 slaves have been imported into Cuba in each of these two years. I do not mean to say that we can implicitly rely on the accuracy of these statements; but the sources from which these statements are derived are the same as those from which in former times we learned that there was a larger importation, and therefore, when, with the same sources of information, we learn that a diminution of importation has taken place, we are justified, not, perhaps, in accepting the precise amount returned, but in assuming that the diminution is very great. And we are confirmed in believing this, because it is known that there is going on in Cuba a transference of slave labour from one kind of produce to another, namely, from coffee to sugar, and therefore the increase in the number of slaves employed in making sugar may have taken place without causing any great importation of slaves. With regard to Brazil, the number of slaves imported there is still great, but considerably less than in former times. My hon. Friend the Member for Gateshead stated in his speech that no law could be effectually passed to prevent a contraband trade, when so great a profit is made by carrying it on. I differ from him in that respect. I believe that the diminution of importation into Cuba has arisen greatly from the fact that the Governor of Cuba has been called upon by the Government of Spain to enforce the law which forbids the importation of slaves. I believe that if the Government of Brazil would act with equally good faith, in order to prevent its subjects engaging in any manner in the slave trade, the law would be equally effective. How comes it that

no slaves are imported into the British islands? Why, because the law is enforced which forbids their being brought there; and if the law is sufficient to prevent the introduction of slaves into the British islands, why should it not be enough to prevent their importation into the colonies of Spain or Brazil? But I admit that a maritime police alone is not sufficient to accomplish our purpose. We must look for assistance to the good faith of those Governments which have entered into treaties with us to prevent the commission of the crime of slavedealing. At present there are but two Powers which pursue the slave trade—but two territories into which slaves are imported; one of these is Spain, the other is Brazil. I quite agree with the hon. Member for Newcastle-under-Line (Mr. Jackson) in most of the arguments which he made use of in that most interesting speech which he delivered this evening. I quite agree with him that legitimate commerce is one mode of destroying the trade in slaves. But I differ from him in one thing. He said he was led to believe that the introduction of legitimate commerce would expel the slave trade from Africa. Now, I regret to say that all the reports we get from time to time lead me to the opposite conclusion, namely, that legitimate commerce cannot live in competition with the slave trade; that wherever the slave trade flourishes legitimate commerce must be destroyed; and that therefore it is only by putting an end to the slave trade that we can hope to plant legitimate commerce on the shores of Africa. And I do not think that even the experience of my hon. Friend, which has led him to an opposite conclusion, warrants the conclusion which he has derived from it. As has been correctly stated by the hon. Member for the University of Oxford, the hon. Member for Newcastle has been enjoying the advantage which the British cruisers on the coast have afforded him; and, though the hon. Member does not acknowledge the benefit of that protection under which his commerce has thriven, yet without it he would hardly have had the opportunity of carrying on that legitimate traffic, the beneficial results of which he has so well described. If this system of prevention of the slave trade were given up, I should like to know what would become of those legitimate traders, and those casks of palm oil, ivory, and other products of the country. I mean to say they would be driven off the coast altogether; the whole coast of Africa would swarm with slavetraders and pirates of every description, The natives would go back to their trade in slaves, and trade would become too dangerous for the legitimate trader to carry it on. The negroes would strip off their jackets and trousers, and go back to the state of nudity in which they were before. All the labours which benevolent men have bestowed on the civilisation of Africa would be spent in vain; and we should have the disgrace of being the authors of the crimes and barbarities which the people of this country would shudder to behold, if they could be ever placed before their eyes. Sir, we have endeavoured to promote the diffusion of legitimate traffic on the coast of Africa. One of the methods which for some time past has been pursued with considerable success is to conclude treaties with the native chiefs, binding them to abstain themselves from the slave trade—binding them to prevent any one else from carrying it on within their territories—and giving power to the British and French cruisers to land their men, and to destroy any barracoons which may be erected for the purpose of forming a depôt for slaves. I am happy to say—although the hon. Member for Gateshead does not give the French Government credit for acting with sincerity in this matter—I am happy to say that there is no ground for this imputation. It will be the object of the two Governments, who have acted in strict and cordial concurrence, to multiply these treaties; and I hope that we shall encircle the coast of Africa with a chain of these engagements, and that we shall induce the chiefs to pursue legitimate commerce, instead of sending into slavery those men who ought to be engaged in producing the elements of commercial barter. This system of treaties, coupled with repressive means, affords, I think, the best system that can be adopted for putting an end to the slave trade; and every year that passes will render it less likely and more difficult that it should be renewed again. It has been said that the employment of our squadron on the African coast has been attended with great mortality to our officers and sailors. That undoubtedly has been the case; but I am happy to hear from Sir Charles Hotham that the crews at present are in as healthy a condition as, to use his words, the crews on almost any other station on which ships are employed. I should hope that when this Committee meets, it may perhaps happen that my hon. Friend

the Member for Gateshead may think he would have taken a more prudent and politic course by not making the speech which we heard this evening. I confess I did not think it likely that we should, this evening, have heard from the hon. Member for Gateshead a statement in the House which might have been much better made in the Committee. I do, however, hope that when the matter does come there to be considered, that it will be considered calmly and dispassionately, and that methods by which a sound policy can be carried out will not prove so insufficient as some hon. Members have seemed to suppose. If any other methods than those on which we have hitherto acted be suggested, I can assure the hon. Member that I shall receive that information with the greatest satisfaction. Still there is one result which I hope will not ensue from the inquiries of the Committee. I do hope that no Committee will recommend a course the reverse of that which we have been pursuing. I hope that no one will be found to say that we ought to retrace our steps. This evening we have been told that this country was the first to engage in the slave trade. That is quite true; it is also true that we have been the most guilty, both in originating and encouraging the slave trade; but let it not be forgotten that we were the first to retrace our steps, and to make atonement for that enormous crime. All the great statesmen who have ever been eminent in this country—all the political parties that have ever been intrusted with the powers of the Crown, have laboured by treaties, by measures, and by every method which human ingenuity could devise, to induce other nations to co-operate with England in the attempt to extinguish this cruel and detestable traffic. To a great extent we have persuaded France to join us in discouraging the slave trade; we have also not been unsuccessful in our attempts to induce the Government of the Netherlands to discontinue the slave trade in the Dutch colonies; I trust, too, that we have succeeded in reducing the amount of this trade carried on in the Spanish colonies; and that we have been still more successful with the Portuguese authorities. Almost the only country that remains is Brazil; there, certainly, the trade continues. Brazil is the main offender, and I fully believe that if we only persevere in the course which we have been pursuing, we shall eventually be successful. I do not hesitate to say, that the result will reflect immortal honour upon this country; we shall, at least, enjoy all the honour that belongs to having succeeded in a great object; and, looking back through a long course of years—though many years form but a short period in the history of a nation—looking back through a long course of years, we shall find nothing in history to show that any nation had accomplished a more honourable purpose. If nations be responsible, as individuals are, for the character of their actions—if they are bound to avoid evil and pursue good—then I should say, as a mere matter of arithmetical computation, that the profit and loss can be calculated; and I have no doubt it could be shown that England would be no loser by the achievement of so great and good a deed.

Lord GEORGE BENTINCK: If my hon. Friend calls the noble Lord the Secretary for Foreign Affairs as a witness, he will come to a different conclusion from that which he has already arrived at from the statement which my hon. Friend has made to-night, because I think if my hon. Friend examines my noble Friend opposite, he may tell him that on an average of the last two years, about 20,000 slaves have been imported into the island of Cuba; and he will be obliged to tell him that whilst we have had squadrons on the coast of Africa, they have only succeeded, upon the average, in capturing from 2,800 to 3,000 slaves a year, for the last six years, and that in the year just past no less than 60,000 slaves were imported into Brazil. Now I think that when the House perceives that with an expenditure of 700,000*l.* a year at the least, we have only effected the capture of one slave in twenty imported from the coast of Africa, the House will come to the conclusion, and the country will come to the conclusion, that our humanity, such as it is, is very dearly bought. My noble Friend, if he were called as a witness, would admit that 60,000 slaves have been imported within the last three years. But I think if the Committee examine those witnesses connected with the slave trade between the coast of Africa and Brazil, and who are well acquainted with what is passing now in Brazil, they will have a darker picture still of the character of the slave trade. They will hear through those witnesses, not that 60,000, but a hundred thousand negroes had been exported in the course of last year from the coast of Africa to Brazil. The horrors that will be described to them are past all

imagination. They will be told that the great want of water constitutes the greater part of the horrors on board a slaver. The slaves are considered to be well off if they get one drink a day. But if they are becalmed, as they are very apt to be in the neighbourhood of the coast of Africa, the voyage is so prolonged that the wretched slaves, crowded sometimes as many as 450 in a vessel of less than one hundred tons —the slaves being packed in shelves, as we are told, three deep, and between decks not six feet apart—get only one drink of water in three days. This is the picture that will be shown. Out of 72,000 slaves, it is supposed that not more than sixty or sixty-five thousand lived to be entered for sale. The Committee will hear in the evidence of one witness, speaking of a vessel which he had an interest in himself, that out of 140 slaves of one cargo about 10 only lived to be sold. Now I think, such being the state of the case, and having heard from my hon. Friend the Member for Oxford to-night how greatly the horrors of the slave trade have been aggravated by our interference, the House will be unanimous in agreeing with him in his recommendation; and if it should be shown, however good our intention, that the practical result is that the horrors of the slave trade are greatly aggravated, and that the interests of humanity are very much prejudiced instead of being assisted by the blockade on the coast of Africa, the country will not be contented any longer to waste an annual expenditure of between 600,000*l.* and 1,000,000*l.*, and the lives of some of our bravest seamen, in order to aggravate the horrors of the slave trade. As far as the practical result goes, there is little chance of success by our interference, as by the evidence of my hon. Friend only 1,000 negroes out of 20,000 are saved; and according to other evidence, for every 1,000 slaves rescued from slavery, 35,000 were subjected to the aggravated horrors of the slave trade. I could not permit the observations of my noble Friend to pass without this comment upon it.

Captain PECHELL said, that the obstacles and difficulties which had been thrown in the way of the noble Lord had been innumerable. It was only within a few years that the cruisers on the coast of Africa had been in a position to carry out the wishes of that House. When he recollected that in 1838 it was proposed to send out more cruisers, he was surprised that no one had risen on this occasion to support the noble Lord. The hon. Member for Gateshead had tried to enlist their sympathies by alluding to the mortality on the coast of Africa. Why, he might have done the same with respect to Hong-Kong, Chusan, and Antigua. He doubted the sincerity of America with respect to the suppression of the slave trade, for he found that most of the vessels engaged in the slave trade were built in the United States. Since he had been a Member of this House, now some fifteen years, he had directed himself to improve the condition of the officers and seamen whose duty called them to the coast of Africa. In former days they were cheated of their prize-money, and the Government participated in the robberies. ["Order!"] Well, then, the Government participated in the abstraction of the money from them. The Secretary of State had most handsomely supported him against the Government and the Chancellor of the Exchequer of the day in doing away with this injustice, and at last he had succeeded in recovering the payment of five per cent, which was formerly deducted from all prize-money. The squadron on the coast, in spite of the Act of 1845, and in spite of French co-operation, which crippled them in all their exertions, were performing wonders, and doing honour to themselves and to the service.

Lord C. HAMILTON was surprised to hear any one who had paid attention to the subject for such a length of time as the hon. Member, attribute all the evils he had enumerated to the operation of the Act of 1845, when he did not once allude to that of 1846. The omission appeared very remarkable; but as the hon. and gallant Member had referred to the former Act in this spirit, he might be excused if he turned to the report of the Commissioners at the Havannah in 1846, wherein they stated that no vessel had arrived there from any slave port during the month previous to their despatch, and that nothing had transpired to occasion any belief that slaves had been imported. The Commissioners of Loango, in the same year, informed the Government that the slave trade there was quite destroyed. The House would observe, that these statements were made in 1846, so that the Act of 1845, which had then been in operation for a year, could not have had the effect ascribed to it by the hon. and gallant Member. How then could he, or any one,. attribute to the treaty with the French, in 1845, any of those difficulties with which the emanci-

pators of the slaves had to struggle, and which threatened to render futile all the magnificent sacrifices made by this country in the cause of freedom? The noble Lord (Viscount Palmerston), at the conclusion of his most manly address, with that spirit which had always animated the British statesman, declared that he would not diminish the number of our cruisers employed in the suppression of that dreadful trade. In that sentiment he thoroughly agreed with the noble Lord; but he wished that the course of previous legislation on the subject would enable him, while complimenting the officers and men on their zeal and activity, to allude with equal force to the success of the example set by this country in the emancipation of her colonies. He feared, however, that in spite of the immense sacrifices we had made, and of the length of time we had devoted to legislating on the subject, we were regarded, not as a shining light to lead other nations into the track of humanity, but rather as a beacon to warn them lest they should suffer the shipwreck of those colonial interests which we had ruined under the influence of of high-sounding theories.

LORD HOTHAM could not but express the gratification he felt at finding that however the House might be disposed to condemn the system itself, or to hold contending opinions on the merits of our legislation, there was no hon. Gentleman who found fault with the mode in which it was carried out, or attempted to find fault with the officers and men employed on the service. He had been fearful, considering how much had been said, more particularly by one hon. Member opposite, of the idleness of Her Majesty's ships, that it might be supposed by the House that the officers and men of the ships on the west coast of Africa were liable to the same imputation; but as no one, notwithstanding this language, seemed to be of this opinion, he would not take up the time of the House by giving any explanation of the numerous and arduous duties which fell to the officers and men on that station. Indeed, no one could be well aware how arduous, difficult, and responsible they were. As regarded the task which devolved upon his relative who had the honour to fill a high trust on that station, it would be difficult to give any idea of its harassing nature to both body and mind; but he could not sit down without stating that his labour and responsibility, great as they were, had been and were mitigated by the constant support he received from the noble Lord at the head of the Admiralty, and from the noble Lord at the head of Foreign Affairs. With both of them his relative was in constant communication, and from them had received the warmest approval. They put the kindest construction on his acts, and adopted any suggestions he made. Having no political relation with the Government, he was the more ready to avail himself of that opportunity to return his acknowledgments. With respect to the question itself, he hoped means would be found to mitigate the many evils to which the victims of the slave trade were necessarily exposed.

MR. GLADSTONE said, that, as the noble Lord had stated that the number of slaves imported into Cuba for the last two years did not exceed 2,000 annually, he wished to ask him to what period his reports reached; and, if it were from the latest accounts he derived his information?

VISCOUNT PALMERSTON, in reply, said that the accounts to which he referred were from the end of the year 1845 to the end of 1847, and that only 2,000 slaves were known to have been imported in 1846. He did not recollect the precise date of the latest accounts in 1847; but they came down to a later period of the year, and it was supposed that the same number of slaves had been imported into Cuba as in the preceding year.

MR. WARD hoped the House would allow him to corroborate the statement of the noble Lord opposite (Lord Hotham) as to the sense entertained by the Government of the distinguished services of his gallant relative (Sir C. Hotham), in carrying out the responsible duty confided to his charge. In everything connected with the discipline of the squadron, which had been before his arrival in rather a lax state, he had introduced changes of the most valuable and wholesome character; and in consequence of his sanitary regulations the health of the men had been fully restored during the last two years, so that the squadron was comparatively free of those fevers which had been so fatal before we served our apprenticeship in the service of the coast. In fact there never was a squadron which had been brought to a higher state of discipline, or the health of which had suffered less from the viccissitudes of climate. The statements which had been given forth as to the fevers and ill health necessarily consequent on long service on

the coast, had been extremely exaggerated; and the last returns would prove that service there was perfectly compatible with the enjoyment of good health. By recent regulations, officers, instead of serving four years, were allowed to change after two years; and he did not believe the country would any longer be guilty of taking part in the horrors of which the hon. Member drew such a frightful picture. Without touching on general or political considerations, he hoped he might be permitted to state that during the last twelve months, the success of the squadron had been commensurate with its efforts. The number of captures had been most remarkable; and though the number of slaves carried into Brazil might have been 50,000 during the last year, yet it was evident when there were captures of eight, ten, or even thirteen slavers within a month, as appeared by the reports received by Government, that a trade subject to such chances must be most materially discouraged. There was one consideration, with regard to which this success was particularly important. They were trying as he feared too tardily, and for the first time, the experiment of free emigration to the West Indies; and from the accounts which had been laid before them, he believed the only hope of redeeming those colonies depended on its fortunate result. It was plain, if Cuba and the Brazils found no other check to the slave trade than that which the salutary but tardy sense of their own danger might prescribe, and slaves were poured into these countries till it was no longer safe to import them for fear of a revolution, that the prospect for our West Indies must be looked upon as very bad indeed, and that the last chance of retrieving their condition would be utterly lost.

Mr. HUTT replied: He did not think as the noble Lord (Viscount Palmerston) appeared to imagine, 600,000*l.* or 700,000*l.* was a large sum for a great country like this to spend in such a noble object as the suppression of slavery; but he did think it was too great a sum to be lavished and squandered away without any return.

Motion agreed to.

House adjourned at a quarter past Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, February 23, 1848.

Minutes.] Public Bills. — 2° Consolidated Fund (8,000,000*l.*).

Petitions Presented. By Sir R. H. Inglis, from Ashton-under-Line, for Increasing the Number of Bishops.—By several Hon. Members, from various places, for and against the Jewish Disabilities, the Roman Catholic Charitable Trusts, and the Roman Catholic Relief Bills.—By Mr. Jackson, and Mr. W. Patten, from Stafford and Lancaster, for Repeal of Duty on Attorneys' Certificates.—By Mr. Fordyce, from Aberdeen, for Inquiry respecting the Excise Laws.—By Mr. Bolling, from Bolton, for Repeal of the Window Duty.—By Mr. A. Hastie, from Glasgow, for Repeal or Alteration of the Bank Charter Act, and Banking (Scotland) Act.—By Viscount Melgund, from several Odd Fellows' Societies, for Extension of the Benefit Societies Act.—By Mr. G. Hamilton, from Exeter, for Relief of Distress (Ireland); and from several places in Ireland, for Encouragement to Schools in Connexion with the Church Education Society.—By Mr. Foley, from Stourbridge, for Sanitary Regulations.—By Mr. Hardcastle, from Essex, for Retrenchment of Naval and Military Expenditure.—By Mr. Rufford, from Worcester, for Alteration of Poor Law.—By Sir G. Clerk, from Kircudbright, for Ameliorating the Condition of Schoolmasters (Scotland).

TREATY OF ADRIANOPLE — CHARGES AGAINST VISCOUNT PALMERSTON.

Mr. ANSTEY: Sir, I do not regret the time which has elapsed since I last brought this subject before the House, because it has afforded the House the opportunity of hearing from the mouths of Her Majesty's Ministers a financial statement which I am sure has justified all the apprehensions and confirmed all the judgments which I expressed on that occasion. The House must feel that the position of this country is dangerous indeed. We are told that it now depends no longer upon opinion abroad, but upon our own armaments, whether or not that greatest of all evils, foreign invasion, and war at home, shall be averted.

Sir, I agree with much that has been said by those who object to any present increase of our military defences; and yet I do agree that those defences demand all our attention. It is not by any such increase—it is not by any vote of money, supplementary or otherwise, for the military or the naval establishments of this country that its character can be maintained effectually abroad, and its peace preserved effectually at home.

Sir, it is by a wise and honest administration of affairs at home on the part of Ministers, and a vigilant control of Ministers on the part of this House, that honour is to be preserved abroad, and peace to be had at home. It is because we have lost the one, that the other is now endangered. I shall satisfy the House before I have done, that for the lamentable and deplorable state to which we are at this moment reduced, there is but one person in this realm at this moment who is primarily responsible, and that those who share with

him that responsibility, share it only in the secondary degree. On the head of the noble Lord the Secretary of State for Foreign Affairs, in whose hands the administration of those affairs continues, I charge the existence of our present defenceless and exposed condition, and those apprehended consequences at which his noble Colleague (Lord John Russell) hinted obscurely, rather than stated them to the House. But the House has had the opportunity of hearing from the lips of the noble Lord himself his opinion of the duty of a Minister of the Crown with respect to the course to be taken on the sudden arming of a foreign Power. It is one of the charges which I shall make against the noble Lord; it is one of the heads upon which I pray the House to require the fullest information, with a view to that charge, that in the year 1835 the noble Lord allowed the Czar of Russia to equip and maintain in the Baltic, not a squadron merely but a fleet—and that too, a fleet not of twenty-one ships of the line, but of twenty-eight ships of the line, and a large additional number of frigates and other vessels of smaller size; and that that fleet has been maintained for service more or less from that period down to the present time. Now, Sir, with reference to that fleet, I call the attention of the House to a very remarkable circumstance in the late debate. It is, that the noble Lord opposite, in expressing his apprehensions and his hopes with respect to the supposed danger of an invasion from abroad, was exceeding careful to designate only one Power as the one to be dreaded; that is to say, our own natural ally, France; that in doing so, he took very good care, as did his Colleagues, to avoid even the most indirect and casual allusion to the only formidable enemy, the natural enemy, of England—the Power which has ever maintained and is still maintaining a hostile attitude towards us—I mean the Czar of Russia. Sir, the silence of the noble Lord with respect to Russia and to her Baltic fleet, is to my mind as significant as his plainness of speech with respect to France.

Sir, I shall not trouble the House with any repetition of the preliminary statements to which I called its attention on a former occasion. [*Ironical cheers.*] I assure the House, and I do so with the greatest sincerity, that I shall address myself as briefly as I can to the subject-matter of this Motion. It is not my fault that I am obliged to comprehend in one notice so many matters and of so varied a character. It is because there is a real and necessary connexion amongst all the passages of the policy pursued by the noble Lord opposite—insomuch that to understand any one passage, it is absolutely essential to know and comprehend the rest. On this point the right hon. Baronet the Member for Tamworth shall be my authority. That right hon. Baronet informed the House on the 1st of March, 1843, that because there was this intimate connection between all these subjects, he thought that the inquiry which was then moved for by Mr. Roebuck, and which had been previously demanded by the right hon. Member for Inverness-shire, and by the hon. Member for Buckinghamshire, that that inquiry ought to be refused, because if it were granted it would necessitate an inquiry into other subjects apparently the most remote from the matter in hand. "Where," said the right hon. Baronet—

> "Where are the limits to such inquiries? Shall I inquire as to the policy of the Syrian war; as to the effect of our bombardment of St. Jean d'Acre; and as to the effect our conduct on that occasion had upon our relations with France? [Mr. Hume: You ought.] Yes, the hon. Member for Montrose says truly enough that if I grant one Committee, I ought to grant another. Because, observe, if on every point of questionable policy this House is to have a Commission of Inquiry, another Member will come down and say, that the arrangements under the American Treaty are prejudicial to our interests, and that we must have a Committee of Inquiry on that subject. Having granted the first two Committees, I could not refuse the third; and of consequence I must hand over the Executive Government to the Committee of the House of Commons."*

Such, Sir, was the judgment of the right hon. Baronet in 1843, as to the unity and consistency of the policy pursued by the noble Lord.

Now, Sir, I admit that the papers for which I am about to move do refer to the entire policy of the noble Lord; they do range over a period commencing with that unfortunate year in which the noble Lord first accepted the office which he now holds down to the present time; and, Sir, that any hon. Member of this House should be under the necessity at this time of day of asking for information on these points is a great misfortune certainly, but not chargeable upon the Member so circumstanced. I would rather say that it is chargeable upon preceding Parliaments in that they did not

* Hansard, Vol. lxvii. (Third Series), p. 187.

secure the proper information at the proper time, and therein neglected their proper functions, those of scrutiny and advice. I know that this has been called a Monster Motion. But surely, Sir, if it be a proper one, the long neglect which has made this monster Motion necessary is something far more monstrous. If the arrears of Parliamentary duties, neglected by so many former Parliaments, have been thus frightfully accumulated upon our hands, it is hard, Sir, that a Member who endeavours to reduce those arrears—who so endeavours merely because more able Members seem averse to the ungrateful labour—it is hard, Sir, that such a Member should be made answerable for the tediousness which is inseparable from its performance. Let me here anticipate another objection, of a kindred character, present to the minds of many. I know that more than once the consent and approbation of Parliament have been given to some of those acts of the noble Lord which I now call in question. But, Sir, let us be far from allowing these votes to be pleaded in bar of the accusation. So far from that, I make them the ground of another accusation which I bring against the noble Lord, and which I will prove without the possibility of doubt. It is that he has made it his business to deceive Parliament, to mislead the Sovereign, and to circumvent Her Councillors, and to obtain the previous or the subsequent approbation of both by false statements, by suppressions of papers, by mutilations of despatches, by entire perversion of truth, and by wholesale suggestion of falsehood.

Sir, this is a matter of charge, and I make it against the noble Lord, not by way of invective, or in order to exasperate, but with the intention of proving what I say when the opportunity is afforded.

Now, Sir, with reference to this matter, the first subject which I shall bring under the notice of this House shall be a very plain and simple one—one as to which very little trouble is requisite in order to arrive at a clear conviction; and one as to which there is no doubt whatsoever concerning the facts, because it happens to be the one upon which the minds of hon. Members are already informed sufficiently for my present purpose—I mean the case of Poland.

Sir, if I refer to one or two passages in the constitution of Poland, it is not for the purpose of establishing the rights of Poland against Russia, but for the purpose of showing the House what were and are the obligations of England and its Parliament in respect to Poland. For, Sir, let the House consider under what circumstances it was that this constitution of Poland came into existence. It arose under the Treaty of Vienna. By that treaty England, Austria, and France — France and Austria only because such was the policy of England—England, in conjunction with Austria and France, surrendered that brave people to the government of the Czar. But there were conditions annexed to the surrender. To satisfy the demands of the people of this country—demands publicly made in this House and in the other — there was contracted by the British Minister who represented England at the Congress of Vienna a solemn obligation to secure a free constitution to the Poles, thus placed against their wills under the dominion of their ruthless and unprincipled enemy. The object of that constitution was to be the security of Poland and her franchises against further encroachment. Yet even on those terms the surrender was not obtained by Russia without resistance.

Sir, it is familiar to the House, that at the first meeting of the Congress, the establishment of Poland as a separate kingdom, under a prince who should not be a Russian, was insisted upon by a majority of crowned heads. England, France, and Austria were agreed upon that. Austria, to accomplish their purpose, was prepared to make the greatest sacrifices. Russia alone stood aloof; and Prussia, because she was engaged to Russia's interests by the stipulated partition of Saxony. In the midst of these deliberations Napoleon escaped—by Russian assistance some say—from Elba. The effect was, to withdraw England, by means of her apprehensions, from the course which she had taken of opposition to the Czar. The effect was similar in France. It brought into power there, on the destruction of Napoleon, a Ministry represented by one less opposed than Prince Talleyrand to the principles of the Russian Cabinet. Under the Duc de Richelieu France receded from the position towards Poland which she had taken under Talleyrand. Austria, at the last moment, compelled by England and France, and after lodging a solemn protest —a copy of which I have before me—gave way; but still, on the faith of the common obligation that a constitution should be granted to Poland which should secure

Poland against the natural consequences of her Russian obedience.

Now, Sir, the constitution was at last granted by the Czar Alexander. Lord Castlereagh took care of that. It was violated at a later period. However, it was granted; and, as far as Lord Castlereagh's personal responsibility was concerned, he did his duty nobly, and he held the Czar to the terms of his contract.

Sir, that constitution granted to the Polish people the rights of supply. It provided that no taxes should be imposed except with the consent of the representatives, and that a budget should be submitted to the Diet every fourth year. It secured to the Poles the benefit of *habeas corpus* within three days after arrest. It gave liberty to the press, and publicity to the proceedings of the Diet. It made Russians incapable of filling any offices whatever in Poland. And, lastly, it declared that Russian troops should not under any pretext be quartered within the Polish territory. Such was the constitution secured by England to the Poles, and for the due observance of which England made herself responsible to Poland and the world by acceding to the Treaty of Vienna. In every one of these particulars the constitution was systematically violated by Russia. No Diet was assembled. Taxes were imposed without the consent of the Polish representatives. During fifteen years following 1815 — that is to say, down to the outbreak in 1830 — no budget had ever been submitted to the Diet. For the most trivial offences Poles had been imprisoned by the Russian Viceroy, for periods varying from a month to eighteen months and two years, without any communication made to them of the causes of their arrest. No writ of *habeas corpus* was ever issued. The agents and subalterns of the Czar were far from so much as imagining such a procedure. So far from the press being free, private correspondence was not safe; seizure of the person, and imprisonment at the Viceroy's pleasure, were the punishment imposed upon the free interchange of thought. The highest offices, as well as the lowest, were filled with Russians, and almost to the exclusion of Poles. Lastly, besides the Russian garrison of Warsaw, consisting of many thousands of men, there were drafted into every part of Poland, kept afoot there, large bodies of Russian troops, forming in the aggregate a very considerable standing army of Russians permanently quartered in Poland.

Sir, in this manner was every one of the essential clauses of the constitution of Poland, for which England was responsible, most shamefully and openly violated. Under these circumstances, in 1830, the Polish Revolution broke out. Never was there a more legitimate revolt. The Treaty of Vienna had been violated — that treaty which secured liberty to the Poles. The Treaty of Vienna, on the other hand, was the only bond which held the Poles to their allegiance—a bond which could no longer be supported. That was the moment for the English Government to have acted. It was for the English Government to have ascertained whether or not success could be secured to the Polish insurrection, and the Poles emancipated from the trammels imposed upon them by the Congress of Vienna. If it could be secured, it was the duty of the English Government to have taken early steps to accomplish that act of justice. If the insurrection proved unsuccessful, or appeared likely to fail, it was the duty of the English Government to have insisted upon the performance—the tardy performance—of the stipulations contained in the treaty. Either course was open to the English Government. It was the duty of the English Government to have considered the question in the true view of treaty law—to have endeavoured in the first place to emancipate the Poles from the bonds of the Treaty of Vienna; or in the second place, if that were impossible, to have secured to them at least the rights guaranteed by that treaty: which of these courses did the English Government take? The Poles had been in arms for a month or thereabouts, before the noble Lord came into office. What did the noble Lord? What information has Parliament had as yet of the proceedings of the noble Lord? What paper has he ever advised the late King or Her present Majesty, to lay upon the table of this House? That noble Lord has lately shown extraordinary diligence in presenting to this House by the authority of Her present Majesty the despatches which recently passed between himself and Prince Metternich with respect to a far less important matter—the internal affairs of the independent Italian States. Not one paper as yet has been laid before the House! The House is under an official ignorance of the course pursued by the noble Lord! The House does not even know whether any communication whatever took place!

There is no information on the subject.

Sir, there were, to be sure, many private assurances. Confiding in the supposed sympathy of the noble Lord with that cause of liberty to which I admit that his Colleagues were sincerely attached, the people of England forebore to press him. The Members of this House, unreasonably anxious for the success of the Reform Bill, excluded with care every attempt that was made to induce the noble Lord to support Poland. It will be in the recollection of hon. Members of this House, that the noble Lord, in the course of the very next year after the insurrection of Poland had broken out, and within a month or two after it had failed, had a singular opportunity of effectual remonstrance, and deliberately relinquished it. The negotiations which had reference to the independence of Belgium brought before the consideration of this House the Treaty of Vienna in a most material respect: I mean the rights which Russia possessed under that treaty against England. That was the moment for the noble Lord, even without the previous consent of Parliament, to make that stand against Russia which he now professes himself ready to take against Austria with respect to the Italian States. The noble Lord preferred to submit, and to do what in him lay to induce this House and the country to submit, to the stipulations, and to admit that Russia had not violated the Treaty of Vienna; because—observe this, if there had been no violation by Russia, there was an obligation on the part of England to fulfil that treaty. Therefore he called upon this House to sanction him in recognising the rights of Russia acquired under that treaty against England; and he prevailed. For the argument which was used to induce this House to act—an argument which, weak and contemptible as it was, nevertheless I regret to say, was far too powerful to be resisted by the Parliamentary majority—was, that the fate of the Reform Ministry and Bill hinged upon that measure. ["No, no!"] It is vain to deny it. Denial comes too late. The fact is notorious. Allusion was made indeed to that subject in this House the other day; and the words of the hon. Member for Montrose on the occasion in question were referred to, expressive of the determination of that hon. Member, not only to vote for the payment of the Russo-Dutch loan, but to vote black white, and white black, if need were, so as to ensure the continuance of the Reform Administration in office, at least until the Reform Bill should pass. I well remember that lamentable declaration; surely it must be in the recollection of many other hon. Members. I am confident that it has not passed away from the recollection, the indignant recollection, of the country.

Sir, this was the only occasion during the whole course of the Polish insurrection on which the noble Lord made any public statement with regard to Russia. But what was he doing during this time? I said before that the House knows nothing officially; but I state here—and the noble Lord may if he pleases contradict it, and I challenge him to produce the papers which shall make the contradiction good—I say, Sir, that when it was proposed to England by France at an early period of the insurrection to interfere by remonstrance, and afterwards in a more effectual manner between Russia and the Poles, the noble Lord distinctly refused the application. The noble Lord used arguments which led the Court of the Tuilleries to believe that if France ventured on such a course without the concurrence of England, the good understanding between the two countries might be endangered. Sweden was then arming her fleet for the purpose of making a diversion in favour of Poland, and of regaining to herself the provinces in the Baltic which had been so unjustly wrested from her in the last war. The noble Lord instructed our Ambassador at the Court of Stockholm in the same sense, and Sweden discontinued her armament. The Persian Court—for Persia was then the faithful ally of England, and inimical to Russia—the Persian Court, confidently relying on at least the neutrality of this country, had, with a similar purpose, despatched an army three days on its march towards the Russian frontier, under the immediate command of the Persian Crown-Prince, Abbas Meerza, the father of the present Shah. Under the instructions of the noble Lord, the Secretary of Legation or Attaché of Legation at the Court of Teheran, Sir John MacNeil, followed the Prince, and at the distance of three days' march from his head-quarters overtook him, and there under instructions from the noble Lord, and in the name of England, threatened Persia with war if the Prince advanced another step towards the Russian frontier. Similar inducements were used by the noble Lord to prevent Turkey from renewing the war on her side—and

"pouring her two hundred thousand horse across the Balkan." [*Lord Palmerston laughed.*] The noble Lord affects to doubt the accuracy of my statement. The noble Lord has in his hands the means of contradiction. Let the noble Lord produce the papers. I state here what has been stated a hundred times, without contradiction or denial by the noble Lord. The noble Lord is jealous of his reputation: when obscure journalists have assailed him, perhaps unjustly, he has dared to threaten with the vengeance of the law the anonymous libeller who may have accused him of trafficking illegally in the public funds. But he has not thought it worth while to interpose when men not obscure certainly, but living in the world's gaze—men not of low character, but of the highest reputation, have charged him with these graver matters. The noble Lord knows that these things have been stated, not only in books and in official letters addressed to his Colleagues, and to the leaders of the Opposition; not only in speeches in public assemblies; not only in articles in the columns of the public press of the country; but in petitions of grievance presented in Parliament on the motion of men whose capacity and integrity the noble Lord's Colleagues will not affect to doubt, however much the policy of the noble Lord might induce him to asperse them in private, or treat the mention of them here with an indecent jocularity.

Sir, these are the charges which I make against the noble Lord with respect to his interference against Poland. Now, what did he do in answer to the applications that were made to him for his interposition in favour of Poland? At the period of these discussions a negotiation was going on between the noble Lord and the Members of the Belgian Congress to induce the latter to accept the mediation of England between the revolted provinces of Belgium and the Court of the Netherlands. A Pole—I will give his name, Walewski — with the sanction of the noble Lord, left London and went to Brussels, where there was, at that time, a firm determination to resist the mediation of England, and the protocols at the Congress or conference of London. The office assigned to this Pole by the noble Lord, or, what is the same thing, the office assumed by the Pole, and sanctioned by the noble Lord, was this, to represent to M. de Mérode, who commanded a majority of that Congress, that it mainly depended upon the pacific settlement of the Belgian question whether or not anything was to be done by England on behalf of the Poles. M. de Mérode and his party immediately acquiesced in the mediation of England, and agreed to adopt the Treaty of the Twenty-four Articles on the faith of what I must call the noble Lord's assurance. Prince Talleyrand, also, then representing France at the Court of London, on receiving notice of this transaction, and relying fully on the noble Lord's sincerity, again addressed to the noble Lord a note in the sense of this Polish agent, fully expecting that the reply would be an unqualified acceptance, and that the result would be a combined action on Polish affairs on the part of England and France; but the acquiescence of Belgium having been now obtained, the end of the noble Lord was accomplished. Accordingly, the note returned in answer to the noble Lord was, to the astonishment of Prince Talleyrand, a distinct refusal. That note has never been laid before Parliament. It was written, as the House will again observe, after the noble Lord had attained his purpose—after he had attained the acceptation of Belgium to the Treaty of London; and in that note the noble Lord informed the Prince, "that an amicable intermediation on the Polish question would be declined by Russia—that the Powers had just declined a similar offer on the part of France—that the intervention of the two Courts, France and England, could only be by force in case of a refusal on the part of Russia—and that the amicable and satisfactory relations between the Cabinet of Saint James and the Cabinet of Saint Petersburgh, would not allow his Britannic Majesty to undertake such an interference. The time was not yet come to undertake such a plan with success against the will of a Sovereign whose rights were indisputable." Thus it appears, that in the judgment of the noble Lord, the right of the Czar of Russia over Poland was indisputable. The words are—"the will of a Sovereign whose rights are indisputable." The arbitrary privileges of conquest claimed by the Czar of Russia over Poland were, in the judgment of the noble Lord, indisputable rights. "But in the meantime his Britannic Majesty has instructed his Minister at St. Petersburgh to insist upon the national existence of Poland according to the Treaty of Vienna, and the maintenance of her national institutions."

It was, Sir, under these circumstances

that Prince Talleyrand, bitterly lamenting the deception which had been practised upon the Poles and upon himself, withdrew from all further negotiation with England, thus leaving the noble Lord unmolested to continue in his career.

Now, Sir, I ask for these papers, for I think the House will agree with me that they establish the case—a case, in the first place, of the highest misdemeanor committed by the noble Lord; and, in the second place—(because we are now looking, not into futurity, but back upon the past, with all the experience of former contradictions, former imposture, former falsehoods now happily brought to light, and are not reduced to any mere process of ratiocination, or inference, or conjecture)—a case of guilt more heinous than misdemeanor.

Sir, Poland fell. The cost of her fall—the destruction, let me add, in passing—was defrayed, in a great part, out of the new loan which the noble Lord had induced Parliament to grant under the pretext of paying off the debt contracted in 1815. The eyes of Parliament were not, however, yet open, and the noble Lord was still suffered to pursue his own lawless career.

What subsequently occurred? The separate existence of Poland ceased—its very name and nationality were abolished—the kingdom was absorbed into the empire. Those national institutions of Poland which the noble Lord, in his note to M. de Talleyrand, professed himself prepared to support, were entirely abrogated. This was but the prelude to further encroachments. The territory of the free and independent city of Cracow itself was violated in 1831, and occupied by a Russian force; and this violation was afterwards made permanent and ratified by the accession of the two other Powers, Austria and Prussia. What did the noble Lord do to restrain the robbery? We know what is the sense which the noble Lord professes to have of his duties on such occasions. I have here copies of his two last despatches to Lord Ponsonby, and there I read that the noble Lord is of opinion that—

"The ancient alliance and long-established confidence which united the Governments of Great Britian and of Austria, would at all events render it the duty of Her Majesty's Government to explain frankly and without reserve to the Austrian Government the views and sentiments of the Government of Great Britain, upon events which are either happening or likely to happen, and which by their bearing and importance must necessarily be of great European interest."

The noble Lord is also of opinion that the stipulations and engagements of the Treaty of Vienna ought to be adhered to with regard to Italy as well as in reference to every other part of Europe, and that no change can properly be made in the territorial arrangements established by that treaty without the consent and concurrence of all the parties to it. If the Cabinet of Vienna, or any other Cabinet being party to that treaty, should act otherwise than in conformity with "the views and sentiments of the Government of Great Britain"—on those points then, the noble Lord is further prepared upon such a contingency to state that—

"It will be impossible for Great Britain to view with indifference the events to which such divergence of policy must lead, and to remind Austria that where Great Britain and the country threatened have long been bound together by the ties of faithful and intimate alliance, Great Britain can never forget or repudiate claims founded upon such honourable grounds."

Then the noble Lord's practical conclusion—and it is an important one—is—

"That the integrity of the Roman State (the matter under discussion), may be considered as an essential element of the political independence of the Italian Peninsula, and that no invasion of the territory of that State could take place, without leading to consequences of great gravity and importance."

Such is the noble Lord's appreciation of the duties of England in the event of an invasion being committed on the territory of a foreign State, contrary to the prescriptions of the Treaty of Vienna; and where Austria is concerned, such is the notification—I would even say the menace—which the noble Lord does not hesitate to address to that Court when such an occasion occurs to demand it.

VISCOUNT PALMERSTON: Read the exact words; you are not quoting accurately.

MR. ANSTEY: I have read the noble Lord's own words. If the noble Lord will point out to me where he conceives me to have misquoted, I will read the passage again.

VISCOUNT PALMERSTON: You have not used my words, but your own. You have used the words "prescriptions of the Treaty of Vienna." I used no such words.

MR. ANSTEY: I did not pretend to read that passage. I gave it as my own. I stated my own interpretation of the passage I had been reading, and was then about to resume the perusal of the document. But there were words which I pre-

viously read, and which had been used by the noble Lord in his former despatch of the 12th of August, 1847, to Lord Ponsonby; and those words were far stronger than the term "prescriptions." They were—

"That Her Majesty's Government was of opinion, that the stipulations and engagements of the Treaty of Vienna ought to be adhered to in Italy as well as in all other parts of Europe to which they applied."

The noble Lord may quibble upon the use of the word. I think the noble Lord's correction is an improvement; I think the word "prescriptions" is not so good a term as "stipulations and engagements," the terms which the noble Lord used, and that the noble Lord's language makes more strongly for my case. This then is the noble Lord's recognised view of his own duty. This is the view which he takes of his duty in the year 1847—this is the view which he takes of his duty in regard to Austria, a friendly State—this is the view which he takes of his duty in regard to the Papal States—a Power, be it observed, which refused to be a party to the Treaty of Vienna. Now, what view did the noble Lord take of that same duty in 1831 and 1832, with respect to Russia—a hostile Power? with respect to Poland? with respect to Cracow? the maintenance of which Powers England had guaranteed as two of the principal arrangements under the Treaty of Vienna? Let the noble Lord answer these questions. And before he does so, let me tell him, adopting the language of Lord Chatham, that in such a matter the House has no right to take the word of any Minister. Let the noble Lord make his answer in the only way in which this House ought to receive it. Let him contradict me if he can, by laying upon the table of this House a correct statement of the energetic remonstrances which he addressed at that time to the Courts of St. Petersburgh, Berlin, and Vienna—and more particularly St. Petersburgh—against the aggressions on Poland and Cracow, as well as the representations which he made to Persia, Turkey, Sweden, and France, with respect to that co-operation which they were all ready and anxious to grant, or rather to press upon us. I have spoken of Austria as if she were included in the same category as Prussia and Russia. She is so, but only so as far as respects Cracow. For as to Poland, the noble Lord knows well that Austria, in 1831, was ready and willing to have acted with England and France, not only in enforcing the stipulations of the Treaty of Vienna, but in going far beyond it. She was prepared to assent to the establishment in Poland of an independent kingdom, under a prince not of the Russian nation. He knows well that the courier, who was the bearer of a communication to this effect from the Cabinet of Vienna—and that too a communication made, not without the knowledge and professed countenance of the Russian Cabinet—had actually been despatched to Warsaw, but was only able to reach Warsaw a few days after the fall of that city. I say, therefore, that as far as Poland was concerned, Austria behaved with good faith and loyalty. It was the criminal neglect of the noble Lord, which having destroyed Poland, afterwards forced Austria into the ranks of our enemy. The accession of Austria to the union of Prussia and Russia against Poland and Cracow, dates only from the period of England's withdrawal from the performance of her own stipulated duties with regard to those oppressed States. No doubt, Sir, as it stands, the guilt is great and grievous. But I say, in aggravation of that of the noble Lord, that it was the direct and natural effect of his own policy. Every person who has studied the geographical and political position of Austria, knows perfectly well that she trembles for her very existence in the presence of Russian diplomacy and domestic disaffection, and that she depends for the preservation of that existence mainly upon the solution of the great questions pending between Russia and Great Britain. I say, then, that Austria, to preserve herself, was forced to abandon the cause of Poland, of England, and of France, and to participate in the minor crime of the oppression of the free city of Cracow; and that to this end the acts, as much as the omissions, of the noble Lord, in the case of Poland, most powerfully and directly contributed. From that moment Austria, in relation to Polish affairs, ceased to act with England and France, and began to act with Russia; or rather from that moment she made up her mind to co-operate openly with Russia, rather than with the noble Lord—the result of that co-operation having been found to be so remarkably consistent in all its parts with the tenor of Russian policy.

Sir, the time at last came when the attention of Parliament could no longer be prevented from directing itself to these dark proceedings. The noble Lord gave private assurance of his good will to the

hon. Members who urged the matter, and so put it off as long as he could. But the time came at last, and the noble Lord had to meet interrogation upon a more public arena.

Sir, on the 18th of April, 1832, a Colleague of the noble Lord, the late Mr. Cutlar Ferguson—a name which no friend to Poland can ever recall without severe regret for his loss—brought the question of Poland directly before the House. The noble Lord on that occasion defeated the Motion of Mr. Cutlar Ferguson, by the simple process of being absent. It is remarkable, however, that on all such occasions of difficulty the noble Lord, whether absent or present, takes care to be provided with what I may be allowed to call a tame elephant, upon whose back to impose the difficulty too great for his own. On the occasion in question, the late Lord Althorp played the part of the noble Lord's tame elephant. Lord Althorp, speaking for his absent Colleague, told the House that no official information had been received of the occurrences in Poland, or that negotiations were pending, or that it was not expedient for the public service—generalities, Sir, which are usual on emergencies of that kind in the mouths of Cabinet Ministers.

Sir, on the 28th of June, 1832, Mr. Cutlar Ferguson again moved for the production of the organic statute by which Russia had for ever abolished the constitution of Poland. This was an occasion for the noble Lord. Accordingly he took care to be present, and contented himself with barely assenting to the Motion, without saying anything on the main question. The organic statute was, therefore, presented to Parliament in conformity with this Motion. Nothing more being done in the matter, the effect was to establish and to recognise in a solemn manner the fact of the destruction of the kingdom of Poland, and, concurrently with that, the reluctance or inability of England to protect that kingdom. Therefore it was that the noble Lord consented to the production of the organic statute, which was printed by an order of the House.

For some time nothing further was done on this subject by hon. Members, except in the way of private communication. The answers, however, which they privately received from the noble Lord, were invariably favourable. The noble Lord, from time to time, continued to assure them that everything was going on well—that he was doing his best for Poland—and that there was no occasion to bring the matter forward in Parliament. But, wearied out with repeated disappointments in this regard, that illustrious statesman, Sir Stratford Canning, the present Ambassador from Her Majesty to the Sublime Porte, then a Member of this House, at length, on the 1st of March, 1836, brought under the notice of this House the violation of the Treaty of Vienna by Russia, Austria, and Prussia, in the instance of Cracow. He represented to the House that those Powers had sent troops into the free city of Cracow, and taken possession of that city; and he asked the noble Lord whether it was the intention of the British Government to take any notice of the outrage? What was the answer of the noble Lord? Did he, on that occasion, make answer in the words which he used in the more recent instance of Austrian encroachment on Italy, to which I have referred? Did he say that it was to him unimportant whether he had received any official account of the startling occurrence, or whether the knowledge which he had of it was limited to the circumstances reported by the tongue of fame; that in either case it was equally his duty to act with expedition and effect? Did he say that the violation of territory was something so flagitious as to make it almost in itself improbable; and, that on hearing that the Austrian troops had entered the city, he had not waited to receive an official report that the outrage had taken place in order to resent it? Did it, in fact, appear that, acting then, as he professes to-day that it is his abiding duty to act in all such cases, he had told the three Governments, even in the absence of official communications, that—

> "Whatever reports might have reached the British Government as to late transactions and recent diplomatic communications in Cracow, they were persuaded that those Governments could not contemplate or have authorised any proceedings at variance with the principles of international law, or any aggression whatever upon the territories or rights of other States;"—that "it would be impossible for Great Britain to view the occurrence of such events with indifference,"—if they did occur—and that "no such invasion could take place without leading to consequences of great gravity and importance?"

Did he inform the House that he had made any communication, such as that to the Courts of St. Petersburgh, Vienna, and Berlin? No, Sir. This was the answer of the noble Lord. Speaking on the 1st of March, 1836, that is, at a period distant somewhere

about four or five years from the first violation of the territory of Cracow, the noble Lord merely said, that "he had received no official account" of the violation. The statement in itself was true. He had received no official account; and wherefore? Because this country had not so much as a Consul at Cracow? But why did not the noble Lord appoint one there? Why, above all, had he not sent a diplomatic agent—a Minister duly accredited from this country to the Court of that free and independent Republic? However, the answer served the present purpose, and there the matter ended. Again, seventeen days afterwards, that is to say, on the 18th of March, 1836, the noble Lord made the same answer to a similar interrogatory. And then once more laying the burden of obstruction upon the back of another, he put forward the noble Lord, now Member for the city of London, to intercept further inquiry. That noble Lord accordingly rose and informed the House, that "an important measure, the Municipal Reform Bill, was coming before the House, and, therefore, the matter"—that is, the question of England's honour and interest, as involved in the affairs of Cracow—"had better be allowed to drop." The matter was dropped accordingly. But on the 30th of the same month a question was asked on the subject by Mr. Patrick Stewart, another eminent friend of Poland, whose loss I unfeignedly deplore. It was a question which I wonder much no hon. Member thought of asking on the former occasion. It was this: whether the noble Lord had ever taken the proper steps for obtaining official information on the affairs of Cracow; whether, in fact, he had ever sent a consul or diplomatic person thither for that end? To this question the noble Lord replied, that he had thought of sending the British Consul at Warsaw there, when he heard that Cracow was already occupied. Now, Sir, observe the dates. The occupation had lasted five years. Yet the noble Lord had only just heard of it! So barefaced an answer as this could not, and did not, satisfy that hon. Member. On the 20th of April, 1836, Mr. Stewart again brought forward the question of the aggressions of Russia, and moved that a Consul be sent to Cracow. In the mean time, too, public opinion had been powerfully influenced and stirred up by the perusal of the debates within Parliament, and had even reacted upon hon. Members. Mr. Patrick Stewart accordingly found himself in possession of a majority at his back ready to carry the vote against the noble Lord if he ventured to resist it. The noble Lord did venture to resist it; but he effected his object in another way. He induced Mr. Patrick Stewart to withdraw his Motion. How was it that so intelligent, and earnest, and fearless an advocate of the cause of Poland, was induced to accede to that proposal? It was by a plain and unequivocal statement then made by the noble Lord of an intention which he had never formed—it was by a promise which he then made, but which I am sure he never meant to keep. The noble Lord declared his intention to be —and promised that, if the Motion were withdrawn, he would perform it—to send a consul to Cracow without loss of time, and armed with full powers from this Court. This explicit undertaking, Sir, I beg to remind the House, was given by the noble Lord on the 20th of April, 1836; and on the faith of it Mr. Stewart and the majority agreed to withraw the Motion.

Sir, that consul was not sent. No consul or agent has ever to this day been sent. The noble Lord's solemn promise was most scandalously and deliberately broken by the noble Lord. But his purpose was obtained. The delay was procured. The subject of Cracow and its occupation had time to familiarise itself to the minds of Englishmen—alas! that I should so call them! They were brought to accustom themselves to the violation of the territory of Cracow, to its occupation by Russian troops. Thus the ground was laid for that ever-to-be-deplored and execrated event of last year, the final annexation of Cracow to the territory of Austria—an event which I concur with the noble Lord the Member for Lynn in thinking could not but have happened after so many years had elapsed of quiet recognition and acquiescence on the part of the noble Lord with regard to the first great aggression.

Sir, on the 22nd of March, 1837, more than eleven months after the date of the noble Lord's violated promise—my noble Friend the Member for Marylebone (Lord Dudley Stuart) very properly brought the question before the House. He publicly reminded the noble Lord of that promise. What had the noble Lord to fear? The late King was then supposed to be dying. The noble Lord was in proportion secure. Events were hastening towards the desired termination. The noble Lord could now venture on a further step. He took that step. Coldly and briefly he informed the

noble Lord the Member for Marylebone, that "he had not sent a consul to Cracow, because"—for reasons which, however, he did not explain—"he had altered his intention." With the exception of my noble Friend, the House appears to have received this astounding declaration with profound acquiescence.

Sir, I interrupt myself here again to ask what blame can attach to any hon. Member of this House, if, in the exercise of his undoubted privilege, he now brings this matter forward, and demands for it the attention of a free and honest and unbought Parliament? I say that I am in a manner compelled to revive these questions when such has been the conduct of former Parliaments—conduct, let me add, to which I, at least, was no party. I have not to charge myself with the responsibility of having sat in any other Parliament but this.

Sir, on the 22nd of March, 1837, my noble Friend (Lord Dudley Stuart) gave notice of his intention again to bring this matter forward. He gave that notice—I beg the attention of the House to the circumstance—in the presence and hearing of the noble Lord himself, as well as in that of the whole House; and in these terms, that the matter which he had to bring forward was one deeply affecting the character of the noble Lord. Thus much is certain. But I believe also that the notice was given by my noble Friend after having also informed the noble Lord in private—(for the fact has been stated in print, and has never been contradicted)—after having informed the noble Lord in the lobby of this House that from that time forward no man could believe his word any more.

Viscount PALMERSTON: I beg your pardon; it is not true.

Mr. ANSTEY: It has never been contradicted yet.

Viscount PALMERSTON: I now contradict it.

Mr. ANSTEY: Then I can only say, Sir, that this is the first time it has been contradicted. Perhaps the noble Lord will ask my noble Friend the Member for Marylebone whether he also contradicts it. I have seen it stated in print.

Viscount PALMERSTON: There is many a falsehood in print.

Mr. ANSTEY: I have seen it stated in print; I know it not of my own knowledge. I know that my noble Friend has never contradicted it. However, if he does also contradict it, I will then give faith to the contradiction of the noble Lord. But, Sir, I will pass over that question for the present. I have said that at least thus much is certain, that public notice was given in the House by my noble Friend that he would bring on a Motion deeply affecting the noble Lord's personal character. Now, what took place on that? The Motion was made. My noble Friend the Member for Marylebone commented in very strong and appropriate language, as I think, on the conduct of the noble Lord. But what was the course taken by the noble Lord? The noble Lord took care to be absent. Nor was this all. The same course was taken against my noble Friend as was taken against me when I last brought forward my present Motion; and after no less than three ineffectual attempts by some of his more immediate friends and supporters to count out my noble Friend, the House was at last counted out before he had finished his speech. I shall make no comments on that procedure; it is too obvious to need any observations. I shall equally avoid all further allusion to my own case: first of all, because the indignant feeling of hon. Members has already been sufficiently elicited; and, secondly, because the disgraceful character of the course taken, to count out the House on the occasion, must pale before the far greater disgrace of the former instance.

Sir, my noble Friend the Member for Marylebone, at the general election in the summer of 1837, unfortunately lost his seat in this House for the borough of Arundel. He lost it, let me add, chiefly in consequence of his opposition to Her Majesty's Ministers on their foreign policy. Their influence was consequently directed against him, and the present Member was returned for Arundel in his place. My noble Friend has ever since continued to be without a seat in this House, until he was returned to the present Parliament by the highly respectable borough which he now represents. It has been a great loss for England and the world, but a great advantage to the noble Secretary for Foreign Affairs in the prosecution of his dark policy. Even then, Sir, the question was not altogether allowed to drop. One last effort was made. On the 17th of July, 1840, Sir Stratford Canning again brought the question of Cracow under the notice of the House. But it now appeared that the noble Lord had calculated only

too well upon the effect of the long lapse of time from the first occupation. He felt that he was now enabled to treat the question as if it were one of a bygone transaction, and therefore out of date; and further, that he might now without hazard admit, and by that admission, made in the name of the British Government, give additional strength to the true position of Russia. Therefore the noble Lord admitted that which he had never admitted before—that the occupation was a violation of the Treaty of Vienna; and at the same time stated—what before he had not dared to state—that England was no longer in a condition to avenge it. I blush to say that both the admission and the statement were received complacently by the House. The House, however, was not then informed that, only two days before, the noble Lord had signed with the Baron Brunow that famous Treaty of July, which bound England to the Russian alliance, and ruptured our engagements with France. I shall come to that question by and by. For the present I desire the House to observe the coincidence of dates.

Sir, I take the noble Lord to know his own duties. I have a right to do so, since he has signified the fact in his recent despatch to Lord Ponsonby. I will not ask him why he wrote that despatch; or why he expressed himself there in terms so condemnatory of the principles on which he had before acted with regard to Russia. I will not inquire, whether or not it had entered into his mind that the party, in the different States of Italy opposed to Austria, did not entirely consist of patriotic men—of persons sincerely interested in the cause of reform—but in a great part of Carbonari and others, intriguing for the destruction of all existing States, and the establishment upon their ruins of a central Power in Italy, of which their recognised leader, the young Duke of Leuchtemburg, the son-in-law of the present Czar, is to be the king, and of which the Cabinet of St. Petersburg is to have the protectorate. I will not ask the noble Lord whether or not it had also entered into his mind that, by criminally giving way in Cracow, and again by criminally insisting in Italy—by encouraging Austria to usurp in this instance, and by insulting her in another instance, with the suggestion of a mere surmise that she was about to commit an usurpation where she claimed to exercise a right—he was taking the most effectual course to disgust her with the English alliance, and to drive her basely to seek her safety against Russian designs even in the arms of Russia. I will not ask the noble Lord these questions; although the occasion is evident and patent to every man, who has taken the trouble to understand the position of Russia towards Austria and Italy. I will only repeat the question I put to the noble Lord just now. Were the principles, set forth by him in these papers, those on which he acted between 1830 and 1841, with respect to Russia, Poland, and Cracow? and if not, why did he depart from them? And I say once more, that no answer, that is not furnished in the language of the documents that the noble Lord has in his keeping, and which it was his duty to have made long ago an opportunity for laying before Parliament, will be satisfactory to me, or ought to satisfy this House.

Now, Sir, that is the case on the part of Poland. I come now to another matter.

Sir, on a former occasion I reminded the House that the Treaty of Adrianople had been protested against by the Government of the Duke of Wellington before the noble Lord came into office. Upon that occasion I quoted the authority of Russian despatches, in order that the noble Lord might, if he thought fit, deny their authenticity. He had contradicted some other of my statements; but to impeach the authenticity of those papers he very prudently forebore; he was too well aware of their authenticity. The publication of them had taken place against his will certainly, but with his official knowledge and sanction. I have now to say that those despatches are not the only evidence which we have of the fact—highly honourable to the Government of the Duke of Wellington, but highly discreditable to the Government of which the noble Lord was Foreign Minister, and which receded from the act of their predecessors—that the Treaty of Adrianople was in the most solemn manner protested against by the former Government. I will only refer to the despatch of Lord Aberdeen to Lord Heytesbury, which has been already before the House. I am doubtful whether that despatch was laid officially before Parliament; but I know that it was quoted in this House a few years ago by the noble Lord the Member for Hertford, and that in doing so he made a sort of apology for the communication—an apology which, he said, was furnished him by the notoriety of the fact, and the greatness of the emergency.

This being so, what had the noble Lord

then, to do, but to maintain the protest of the Duke of Wellington in all its integrity, in order to prevent Russia from aggrandising herself at the expense of Turkey, under the pretext and cover of that Treaty of London which was signed by England, France, Russia, and Austria, for so different a purpose—the settlement of the affairs of Greece? Let us see, then, what was in this respect the first act of the noble Lord on coming into office. Now, upon that subject he has taken care to furnish no papers, and to lay no information whatever before the House. But the facts are in themselves notorious, and from other sources there is abundant evidence to be had of the part taken by the noble Lord.

Almost his first act on coming into office was to accept this Treaty. I will show the House in what way he contrived that. Amongst the clauses in the Treaty of Adrianople extorted by Russia from Turkey, there was one which gave to Russia dominion over a great extent of coast in the Black Sea, limited by certain boundaries. Now Circassia was not specifically mentioned in that clause. Circassia, indeed, could not be included in it, because Circassia formed no part of the Turkish territory. Therefore, Circassia did not belong to Turkey to give, nor to Russia to receive. However, by the treaty, a geographical line was so drawn as in fact to include Circassia within the ceded territory; and, on the authority of that pretended cession it was, that Russia had grounded a pretended title to dominion over Circassia. In the exercise of that pretension, Russia, in 1832, notified through her Ambassador at Constantinople to the noble Lord, through his then representative and agent there, Mr. Mandeville—(for the British Ambassador was, as usual, absent)—the establishment of a quarantine and a custom-house—with regulations of a sanatory and fiscal nature at Anapa, and elsewhere, on the coast of Circassia. Now, it was clearly the duty of Mr. Mandeville in the first place, or, if he failed in his duty, it was the noble Lord's duty, to refuse to recognise those provisions, coming as they did from a Power which had no jurisdiction to make them. Mr. Mandeville, however, took upon himself, with the approbation of the noble Lord—(at least he has never been censured for his conduct)—to publish at Constantinople to the Consul General of England, and the British merchants there, those regulations and ordinances promulgated by Russia for the sanatory and fiscal government of the tribes and coasts of Circassia. By this act, the British Government was made to recognise two usurpations; first, the illegal Treaty of Adrianople—that treaty which had been before protested against, but which was now acknowledged and sanctioned, together with the right thus professedly exercised under it; and, secondly, the pretended cession of Circassia, with the rights of sovereignty claimed by Russia over the territory and people of that country, to which, as I have shown the House, the Treaty of Adrianople, even had it been legal, conferred no title at all. In one moment, therefore, and by this simple act of recognition, all that Lord Aberdeen—all that the Duke of Wellington—had done by way of protest—all that the noble Lord found in force and vigour at the period of his accession to office in 1830, in respect to the Treaty of Adrianople—was swept away. Circassia was abandoned to Russia; and, with Circassia, the freedom and privileges of commerce, immemorially enjoyed by British merchants on her coasts, but which the Russian tariff refused. From that time it became impossible to repudiate, without punishing, the acts of the noble Lord. From that time it became impossible for any Minister in this country to continue the protest against the Treaty of Adrianople, or to claim the enforcement of the Treaty of London, without founding against the noble Lord accusasations, such as I now prefer.

Sir, I shall next direct the attention of the House to the position of affairs in Egypt, when the noble Lord came into office. The position of affairs there was somewhat similar. Mehemet Ali was at that time the acknowledged vassal and servant of the Porte. The authority of the Porte was supreme in Egypt, and no foreign Powers had there the right of intervention. Neither the noble Lord, nor any authority but the Porte, had the least right of internal legislation or management in Egypt. There was no portion of its sovereignty over Egypt ceded by the Porte. The noble Lord, however, took upon himself to erect Mehemet Ali into an independent Power. Without the consent of the Porte, he, in 1832, accredited Consuls and diplomatic agents to that ambitious Pacha. He entered into treaties with him, altering existing regulations and arrangements touching matters of trade and revenue, and establishing others in their room. The consent of the Porte was not even

asked beforehand, nor its approbation afterwards received. I say, Sir, that Mehemet Ali was thus encouraged by the noble Lord to consider himself independent of the Porte; and that it was to confirm him in that independence, that Ibrahim Pasha, his son, at the head of the Egyptian army marched against Constantinople. Crippled by the event of Navarino, and the Treaty of Adrianople, it was impossible for the Sublime Porte to resist this powerful invasion of its territory, without the help of those Powers who had promised help in such an emergency, and on the faith of which promise alone their intervention had been accepted. Accordingly the Porte implored of England the help she was entitled to demand. Now, Sir, I come to a direct act of treachery—committed by the noble Lord, or which is the same thing, by the agent of the noble Lord, and sanctioned by him—against the Porte. The Porte applied to the noble Lord for protection against her rebellious subjects. The noble Lord refused that protection, although one word from him would have secured it. I say this, because, as it turned out afterwards, the remonstrance of a simple Consul at Alexandria was found quite sufficient to check the Pasha's progress. The noble Lord, however, refused the application. Instructions were not even sent to the Consul at Alexandria to use his influence there with Mehemet Ali. Not only the intervention but even the mediation of England was refused. In concert with this refusal, Russia then proffered to the Sublime Porte her assistance. The insidious offer was indignantly refused by the Porte. Upon this, Russia, still hoping to ingratiate herself with the Porte, joined her in a renewed application to the noble Lord for British intervention. The noble Lord again refused the demand. All this time the Pasha continued to advance towards Constantinople. At the moment of the noble Lord's second refusal of assistance, a Russian squadron on board suddenly sailed from Sevastopol in the Black Sea, towards Constantinople, and disembarked a large force of Russian troops upon the shores of the Bosphorus, and laid siege to the capital. The Sultan was intimidated into a secret communication unknown to the Porte. Count Orloff was sent specially from St. Petersburgh to conduct it. The only condition on which the Russian diplomatist would consent to withdraw in the first place his troops, and then to assist Turkey in checking the advance of the Pasha of Egypt, was the immediate acceptance of a treaty produced by Count Orloff to the Sultan, which had been drawn up at St. Petersburgh, and which he had been sent to present. That was the treaty afterwards so famous under the name of the Treaty of Unkiar Skelessi.

The proposed treaty, immediately upon being received by the Porte from the hands of the Sultan—for till then the Porte had no knowledge of the design—was placed by the Porte in the hands of the English Embassy, with a prayer for protection against Russia. On the very next day, the identical document so confided to the honour of the English Embassy, was returned to the Porte by the hand of the Russian Ambassador, with the taunting advice, "another time to choose a better confidant."

Anxious only to save the capital a little longer, and under the just impression that she was now betrayed by England, the Porte acceded to the Treaty of Unkiar Skelessi and signed it. The moment that was done, the noble Lord—who would not grant help or the promise of help, nor even use mediation with the Pasha to check his ambitious designs against the Porte—sent an English squadron, with which was combined a French squadron (France being at that time blindly devoted to our alliance) to threaten the Turkish coasts and capital. The pretext for this hostile demonstration against a faithful injured ally was the Treaty of Unkiar Skelessi! Because, in her utmost need, Turkey had signed that treaty which she had been compelled to accept by the noble Lord—that treaty against which the noble Lord had not only refused positively to protect her, but had even refused to interfere, to the extent of a simple remonstrance through his representatives, with the Russian Ambassador—the noble Lord sent a naval force to threaten the coasts, not of Russia the assailant, but of Turkey the assailed. And, to crown the whole, Sir, at the very time that this demonstration was being made, an assurance was given by the noble Lord to the Russian Ambassador at this Court, that this combined movement of the two squadrons was not intended in any sense hostile to Russia, nor to be taken as a hostile demonstration against her; but that, in fact, it meant nothing at all. I say this on the authority of Lord Ponsonby, the noble Lord's own Colleague, then Ambassador at Constantinople. To that Lord's subsequent conduct I shall presently have

occasion to refer. But at that time Lord Ponsonby had not committed himself to the noble Lord; and, in a work which I hold in my hand, and which was soon afterwards published under his eye, that nobleman has recorded the fact and expressed his sorrow, that such a moment should have been taken by the authorities at home to assure the Russian Government, that, however hostile their attitude, no hostility was intended against Russia. The result was, that Turkey, forced into further concessions, signed the shameful Convention of St. Petersburgh, and then the British fleet was withdrawn; the noble Lord at the same time expressing his satisfaction with the moderation of the terms so imposed by Russia!

Sir, these are so many direct acts of treachery against Turkey. There is no doubt whatever about the facts—even the noble Lord does not dispute them; but as to their character, and as to the guilt of the noble Lord, in their regard, I have a right to ask, and I do ask the judgment of the House upon them. I am almost inclined to rest my case entirely on that one point. But, Sir, there is a further observation to be made in regard to this point, as to which, by the way, no information has ever yet been laid by the noble Lord before Parliament. The Convention of St. Petersburgh was a ratification of the Treaty of Adrianople. Now, in the same communication in which the noble Lord announced to Russia and Turkey his pacific intentions and the withdrawal of the English squadron, the noble Lord assured the Russian Government, that the British Government were perfectly satisfied with the amicable intentions of the Cabinet of St. Petersburgh in regard to Turkey, and its laudable disinterestedness, as evinced in that convention, and that upon those grounds the combined squadrons had been withdrawn. Thus, Sir, did he, for the second time, accept and ratify the Treaty of Adrianople.

I pray the House to remember, that these were the beginnings of that course of successful usurpation, which the Pasha of Egypt was incited by Russia to prosecute, and which afterwards produced a new war with the Porte, and the Treaty of July, 1840. Upon these early events, it is important for the House to understand that the noble Lord has taken very good care to lay no information whatever before it. In reference to these subjects, it is also desirable that the House should bear in mind that the noble Lord has, in fact, given no explanation of the terrible events of 1840. The papers which he has published in reference to those events, do not contain any such explanation; for they go no further back than 1839.

Sir, at the period of this Treaty of Unkiar Skelessi, the mind of the late King was powerfully impressed with the necessity of maintaining and supporting Turkey, and of preventing the progress of Russian encroachment in that quarter. His late Majesty forced the question upon the attention of the noble Lord. I am able to prove the fact. I can also prove, Sir, that the noble Lord was obliged to take his directions in this matter from the late King's Private Secretary, and that his existence in office depended upon his compliance with the wishes of the Monarch. I can show that the noble Lord did on one or two occasions, as far as he dared, resist; but that his resistance was vain, and that it was invariably followed by abject expressions of contrition and compliance. I will not take upon myself to assert that on one occasion the noble Lord was actually out of office for a day or two; but I am able to say, that the noble Lord was at least in danger of a most unceremonious expulsion from office, on that occasion. I refer, Sir, to the discovery which the late King had made, that the noble Lord had consulted the feelings of the Russian Government as to the choice of an English Ambassador at the Court of St. Petersburgh; and that Sir Stratford Canning, who had served England so faithfully and so well against Russia, and who was originally destined for the Embassy, was set aside to make room for the late Earl of Durham—an Ambassador more agreeable to the Czar. I say, Sir, that on that act being discovered, the noble Lord lost the favour of his Sovereign, and that it was with difficulty that he was enabled to make an intelligible apology for the grounds upon which he had acted. [Lord PALMERSTON denied the statement.] The noble Lord contradicts me. Sir, I ask him to produce the papers which relate to the nomination of Sir Stratford Canning, his subsequent rejection, and the consequent selection of the Earl of Durham as the representative of this country at the Court of St. Petersburgh. The House shall judge between us.

Sir, the late King had been made aware that the position of Turkey had been strong and unassailable, so long as European in-

tervention had been kept out; and that, in order to save Turkey against Russia, it was absolutely necessary to replace the Government of Turkey in its position of perfect and entire independence. His Majesty was also aware that the means taken by Russia to prostrate the strength of Turkey were commercial means. In fact, a fiscal system, of the most absurd and mischievous character, had been brought in by Russian influence, and engrafted on the old simplicity of the Turkish financial administration. The effect was most destructive; and to such a degree, that, whilst bankruptcy oppressed the natives of the land, the finances themselves very greatly suffered—monopolies abounded—the Government was crippled with debt and usury—the taxes were farmed out to men for the most part under Russian influence—and embarrassment, misery, and disaffection overspread the land. The late King had derived his information from the most authentic sources. I have not the same authentic information on this subject; but I will state shortly to the House what I know upon it, and in what manner that state of things had been brought about.

There were treaties existing between England and Turkey—commercial treaties —by which every article was imported free, I believe, and every article of export exported at 3 per cent. A similar favour had been granted to Russia by the Treaty of Adrianople. But there was this difference between her case and that of England—England looked only to commercial advantage, Russia only to political ascendancy. Russia made her advantage the occasion of embarrassing and ruining the Porte. She had not at that time a single merchant at Constantinople. But no sooner was the treaty signed than her emissaries amongst the Greek subjects of the Porte persuaded them to declare themselves Russian, in order that, under the assumption of that character, they might claim to share in the benefits conferred by the treaty. In consequence of that proposition great numbers of Greek rayahs unduly obtained an entire exemption from taxation. This created universal discontent amongst the farmers of taxes, who found their gains destroyed; and very great embarrassment to the Government, because of the loss of revenue which was the natural result. In order to obviate those disadvantages, the Porte introduced — or rather extended—the baneful system of monopolies, by which the sale of certain articles was granted only to those who had paid for licenses from the Government. Russia did not remonstrate against these monopolies, although granted in evident infraction of one clause of the Treaty of Adrianople; and this for very profound reasons of policy. The unwise system was fast producing its own results—impoverishment of the State, and increased disaffection amongst the people. This was precisely what Russia wanted. Russia, in questions of commerce, has never an eye to commercial advantage, but always to territorial aggrandizement. Commercial advantage will come afterwards. But till the other is gained she has always shown herself prepared to sacrifice to its attainment every other interest —her own commercial interest not excepted. But here she had no commercial interest to sacrifice. She had no merchants at Constantinople, though there were hundreds—and thousands, perhaps—of Turkish subjects who professed to carry on the trade under that name and title. But, even if these had been Russians, still their interests would have been sacrificed, in order to procure the immediate and greater object—internal disaffection and discontent. Accordingly, when they complained to the Russian Ambassador against the monopolies as having been created in violation of the Treaty of Adrianople, that Minister repremanded them for their presumption, and told them that the Russian Government would not interfere. Still there was no direct acquiescence on his part. It was always competent for him to prefer the demand at the proper moment. Now, one very important clause of the Treaty of Adrianople empowers Russia, in the event of any violation whatever of any clause of that treaty, to exercise, as though with the previous and entire sanction and recognition of the Porte, the immediate right of reprisal. Another clause, not less important, provided that, until all pecuniary demands arising out of that treaty should have been liquidated, the Turkish fortress of Silistria, and other places possessed by Russia, were not to be given up. All these constituted, therefore, another reason why Russia should be deaf for a season to the complaints of those *quasi* Russian merchants. Under such circumstances, it was that the late King was made sensible of the advantages of the Turkish trade to England, and of the fatal blow which Russian ambition would receive in a most vital point, if Turkey were re-established on a free and

independent basis; but which could only be when her finances had been brought into a more prosperous condition. Therefore William the Fourth determined to negotiate with Turkey a treaty of commerce; and, for that end, he employed a Gentleman who had, by long residence in the East, deserved, found, and enjoyed, the united confidence of Christian and Mussulman—I mean my hon. Friend the Member for Stafford. Him, if I may take the liberty of doing so without infringing any rule of this House, I shall, in the course of my statement, describe by the name appearing in the documents before me—Mr. Urquhart. This Gentleman had applied himself devotedly to that question. He enjoyed the personal friendship of his late Majesty. He was upon terms of unrestricted intercourse first of all with the late King's Private Secretary, Sir Herbert Taylor, and afterwards with the King himself. I pause here, to anticipate an objection of the noble Lord, and to tell the House, that I entirely disregard any distinction, that may be taken in any quarter, between the office of Secretary of State and Private Secretary to the Sovereign. The law and constitution of this country recognise no such distinction. The Secretary of State is but the King's Clerk, and the King's Clerk or Private Secretary is nothing more nor less than his Secretary of State. One distinction, indeed, there is, which, however, is not to the disparagement of the office of Private Secretary. The office of Private Secretary, when it existed—(for it does not now exist, Her Majesty's Ministers have taken care of that—they abolished it at the beginning of the present reign)—was filled by only one person; whilst that of Secretary of State is divided amongst three—the Home, the Colonial, and the Foreign Secretary of State;—constituting, however, amongst them only one officer. The commands then given by his late Majesty, after advice taken with his Privy Council, might be as fitly communicated through Sir Herbert Taylor as through the noble Lord. With regard, however, to that part of the question, or the correspondence between Mr. Urquhart and Sir Herbert Taylor, the noble Lord's mouth is closed; for he, at least, accepted the intervention of Sir Herbert Taylor. The documents before me show that he acted in obedience to commands communicated by the Private Secretary to the King. I have, moreover, communications here in my possession addressed from the noble Lord to Mr. Urquhart, authorising and empowering him in the fullest manner to draw up and procure the acceptance of the articles of a treaty of commerce between this country and Turkey, to be framed in the sense of the late King.

Under those instructions Mr. Urquhart did proceed to draw up the treaty of commerce. He did succeed in framing one treaty for the purpose of carrying into effect the wishes of the late King, as signified through his Private Secretary. The general terms of this treaty were to this effect:—That all monopolies should be abolished, so far as respected British merchants and their agents—that all taxes imposed upon British merchants or their agents, or duties except those provided by the treaty, whether they were duties of export, of import, or of transit, should be repealed;—that there should be commissioners appointed between the two States—English and Turkish commissioners—to inquire into the value of all articles of commerce usually exported which might be exported from Turkey; and which would find a sale in England;—that those commissioners should revise their reports once in every five years;—that those commissioners should set *ad valorem* duties upon the different articles of commerce in this manner, namely, that if any one article of commerce was so exclusively the production of Turkey as to insure it a ready sale, at the prices usually received under the monopoly in foreign ports, then the export duty to be assessed might be a high one, so as to be remunerative and productive of revenue;—but that, in the case of commodities produced elsewhere than in Turkey, and not being of sufficient value in foreign ports to bear a high duty, a lower duty should be assessed; and, lastly, that this tariff should be revised every five years. Take, for instance, valonia; a very principal article of export from Turkey. That commodity, being exclusively Turkish, might easily bear a duty of twenty-five or thirty per cent upon it, which would yield a good remuneration to the Turkish Government without, however, raising its price, or affecting its sale in foreign countries; where it would be just as cheap, after the imposition of this high duty, as it had been formerly; and certainly much cheaper than it was under the then system of monopoly. On the other hand, silk, not being the sole production of Turkey, but having to compete with that of other countries, would be able to bear only three or two per cent *ad valorem*, or perhaps

less, and would be assessed accordingly. But there was one clause of the utmost importance. It was a clause, for repealing a prohibition which had been imposed by the Turkish Government upon certain exports—a prohibition first obtained in that treaty by means of that Russian influence which was then supreme in Turkey, and which had been so from the time when the noble Lord delivered that country into the hands of Russia. Russia had obtained from the Porte the absolute prohibition of the exportation of all articles whatever, capable of being produced in the countries of the north. What were those articles? They form almost the only branch—certainly by far the most important branch—of our trade with Russia. Upon the cultivation of that branch of commerce with Turkey, Russia had succeeded in obtaining from the Porte an absolute prohibition—not merely a monopoly. Exportation was absolutely prohibited in the case of corn, of hemp, and of timber. Exportation was permitted only in the case of dyes, gums, &c.—articles which Russia did not produce. Another important article, the exportation of which was prohibited, absolutely, although not produced in the north, was oil. The effect of the admission of Tuskish oil into the English market, would have been entirely to exclude Russian tallow. We pay annually at this moment in gold to Russia—for very little of our produce goes there out of this country, and what little does go out is for the most part intended for use in the Russian manufactories; I speak more particularly with respect to cotton twist and machinery—we pay annually in gold to Russia for these articles of exportation, corn, hemp, tallow, timber, and so forth—in round numbers five millions and a half. Turkey, on the contrary, receives the products of our industry in exchange for her exports; and, whilst even this one-sided trade with Russia has increased only one-fifth, or thereabouts, in the same period our trade with Turkey has increased five-fold. It was, therefore, in a commercial point of view important, but certainly in a financial point of view most important, for Russia, that the fiscal absurdities which then existed in Turkey should be maintained. Accordingly the House will find, if the papers are granted, that the whole of the contest between the Foreign Office under the noble Lord, on the one hand, and those who represented the true interests of England and Turkey, and the wishes of the King, on the other, was directed to this one point—the treaty of commerce. Every art was used, every fraud was employed to circumvent Mr. Urquhart, and to destroy the negotiation. The attempt was made to corrupt him by the promise of employment elsewhere. The attempt failed. There was no course left but to destroy him.

Sir, I shall not trouble the House with the passages of the correspondence with Sir Herbert Taylor, which relate to this matter. Yet, I have them here; and, if any one of my statements is denied or doubted, I am quite prepared to read them. I state again, that I hold in my hand papers, which show that Mr. Urquhart was fully employed—at the personal wish and desire of the King, signified by his Majesty to his Ministers, or by Sir Herbert Taylor, to the other Ministers of that Sovereign—that he was fully employed to negotiate this treaty upon these terms and with this purpose. I then find the noble Lord, at first openly expressing his unwillingness. I find that, relying upon that fortune which had supported him hitherto, he even attempted to overthrow it, by denouncing the project. Denouncing it as what? As a Russian project! It also appears that his Colleague, Lord Sydenham, then Mr. Poulett Thompson, a Russian merchant, who had great interests in the Baltic—I am aware that there was a nominal retirement on his part from the great firm which had the trading monopoly in the Baltic provinces of Russia; but I assert that, notwithstanding that retirement, he remained, in fact, a Russian merchant there, and a Russian agent in the British Cabinet—I have the evidence here that Lord Sydenham denounced the very same treaty at the very same time, because it was "an anti-Russian project!" And then I read here that the determination of the King prevailed; and that the noble Lord and Mr. Poulett Thompson both receded, and expressed their conviction that they had been mistaken, and their readiness to see that treaty carried into effect without alteration. I have here the proofs also that instructions were sent to Lord Ponsonby, by the noble Lord, at the dictation of the King, to propose this treaty, without alteration in the smallest particular, for acceptance by the Sublime Porte. And, lastly, I assert, and I have here the evidence of it, that this treaty, founded upon Mr. Urquhart's reports, was settled and adopted in the Foreign Office, and was also settled and adopted in the Board of Trade, and accepted in its terms

by the noble Lord and by Mr. Poulett Thompson, before it was so sent to Constantinople. I have now to inform the House that that treaty has never to this hour been signed—that that treaty has never to this hour been so much as presented to the Sublime Porte! I ask the noble Lord to satisfy the House, if he can, why he should not lay upon its table the fullest and most accurate information with respect to this matter. If I fail to make good my statements, I offer myself to the vengeance of the noble Lord and to the justice of the House.

Sir, I shall come by and by to the treaty of commerce which the noble Lord really did present to the Porte, and which the Porte signed at his instigation. I only beg the House at present to remember what I have just asserted.

Another point on which the King was equally determined, was the maintenance of the independence of Circassia—its dearly-earned and well-bought independence—and the maintenance, too, of British commercial rights in Circassia. The noble Lord was directed by the King in the year 1835, and long before the disgraceful event to which I have just referred, the noble Lord was required, at the direction of the King, to make inquiries on the spot touching the independent rights of Circassia. I have the communications here which passed. The noble Lord was fully aware that the Circassians claimed their independence upon two grounds: that one ground was that they were not included in the Treaty of Adrianople; because the Porte, who was not their Sovereign, had never intended to transfer them, and had not the power to do so; and that the other ground was that the Treaty of Adrianople as against England was utterly null and void. It was for the purpose of carrying into effect the wise and patriotic purposes of the Sovereign, that these inquiries were directed to be made, and that an expedition to the Circassian coast was resolved upon. The sailing of the *Vixen*, and the application of the owner, Mr. Bell, to the noble Lord for permission to send the vessel, did not take the noble Lord by surprise. He knew long before that such an expedition was projected. Indeed, the noble Lord had himself published in this country, in the year 1835, the Circassian declaration of independence. The noble Lord had himself settled and corrected for the printer the colouring of a map, in which Circassia was marked as an independent country.

But, then, how do I reconcile these statements with my charge against the noble Lord? Very simply, Sir. I say that the noble Lord was but a mechanical instrument in all this of the personal will of his Sovereign, and that he was forced into action by that Sovereign's peremptory command. The documents which are before me prove that it was through Sir Herbert Taylor, and not through the noble Lord, that those wise measures were prosecuted, and to a great extent successfully carried out; and that, while the noble Lord afforded some of the means by which these measures were prosecuted, he was at the same time doing the bidding of those with whom he was in secret collusion; that he was to the utmost of his power attempting to frustrate the intentions of the King whom he affected to serve, and the measures of the servants with whom he professed to co-operate. Therefore what I charge against the noble Lord is, that in all these respects he was acting in violation of his duty as a Minister of the Crown, and in direct derogation from the terms of his oath of Privy Councillor.

In the midst of those occupations King William and his Ministers, late in the autumn of 1835, heard with an indignant surprise, in which all Europe participated, that, in the course of a visit which the Czar Nicholas had recently paid to Warsaw, that Potentate had addressed a speech to the municipal authorities of that city; in which, setting for ever aside constitutions, conventions, and treaties, he had declared that the arrangement of the Congress of Vienna was at an end; that Poland was no more; that her territory had merged into Russia; and that it was no longer as Poles, but as Russians, that the Polish people were thenceforth to belong to him. Some two or three years before that period, the Poles, who had sought refuge here and in France, had brought first to France and then to England the archives which the Russian Viceroys had left at Warsaw; containing State papers of the greatest importance, relating to this country and other Powers, and ranging more or less over the period which had elapsed from the beginning of this century down to 1830—the period when the archives fell into the hands of the victorious insurgents. Those papers were placed in the hands of the noble Lord by Count Zamoyski, the nephew of Prince Czartoriski. A letter that I have here shows that the circumstance has been admitted by the noble Lord, and that those despatches were placed in the hands of

the noble Lord by Count Zamoyski. He is a gentleman of the highest honour, character, and credit; his name, at least, the noble Lord will not affect to ignore: nor do I think that he will venture to discredit his assurance of their authenticity. The noble Lord had these despatches for two years, and did nothing with them. The late King, at the period of the speech at Warsaw, to which I have before referred, ordered these papers to be given up by the noble Lord. They were given up and examined at the time at Windsor Castle, and it was found desirable to print and publish them. Sir Herbert Taylor applied to the noble Lord to print them. The noble Lord admitted to Sir Herbert Taylor that the papers had been placed in his hands by Count Zamoyski, and that he (the noble Lord) had read some of them. It afterwards appeared that he had read most of them, or rather the whole. In spite of great opposition on the part of the noble Lord, the King compelled him to lend the authority of the Foreign Office to their publication; and, so completely was the Foreign Office identified with their publication, that the editor, who took the charge of revising them for the press, published not a single document which had not the noble Lord's initial or signature attached. I myself have seen the noble Lord's initial attached to one of these documents. I speak from experience, for I have had ocular testimony of the fact; and I mention this circumstance now with so much emphasis of repetition, because the noble Lord has denied these facts. The noble Lord was compelled to place these documents in the hands of Mr. Urquhart for publication. Mr. Urquhart was appointed Secretary of Legation at Constantinople in September, 1835. That at least was the period when he received his appointment. The commission itself appointing Mr. Urquhart to that office, was signed by the King on the 3rd of October, 1835. After this, and under the sanction of the noble Lord, in November, 1835, the first number of the "Portfolio" appeared. It was considered desirable that Mr. Urquhart, and his connexion with the Foreign Office, should not be apparent —that there should be a real supervision and control on the part of the Foreign Office—first of all, by Mr. Urquhart; and, secondly, on the part of the noble Lord, in order to secure the public against delusion—but that the connexion of even Mr. Urquhart with the "Portfolio" should not be made known to the public. That arrangement met with the approbation of Sir Herbert Taylor and the King. A gentleman of high credit and reputation—a gentleman known, I believe, to many hon. Members of this House—Mr. Seymour Westmacott—was appointed the nominal editor. His name is mentioned here in one of the letters before me, where the objection is raised that he probably might be the editor of the *Age;* and the answer is, that he was not that person, and was not in any way connected with that journal. Mr. Westmacott was appointed the nominal editor, and Mr. Urquhart the real editor, subject to the control of the noble Lord. I find, in particular, from another letter, written by Sir Herbert Taylor at this time, that the insertion of the Warsaw speech of the Czar, in the first number, was made at the noble Lord's own suggestion. Now, I say that these facts establish that the "Portfolio," while it lasted—and it lasted from November, 1835, to June, 1837—was the exponent of the views and wishes of his late Majesty's Government. It ceased shortly before the death of the King—it ceased during the last illness of the King. It was only the breath of the King which had given it life. Whilst it lasted, it was the exponent of the views of the King, and, ostensibly at least, of the Foreign Office. It was then convenient, and even necessary, for the Foreign Secretary to profess the King's views—views so entirely opposed to those which brought the noble Lord into office—views which, if he had dared, would have been, even then, condemned by him as loudly as he condemned the policy of Lord Aberdeen, when, in 1830, he expressed his opposition to the policy of that noble Lord.

Sir, we have the whole question there in the "Portfolio." It would be troublesome to the House to enumerate the subjects that have been discussed in that work—there is no doubt as to the views and principles that were professed and prosecuted in that work, and which were brought out and carried on to the end of its publication. When, however, measures were afterwards called into play against Mr. Urquhart, for the purpose of getting rid of him, it became equally convenient for the noble Lord to deny his connexion with this publication; in the hope, as I firmly believe, that Mr. Urquhart would establish that connexion by commencing an action against him. In that case, the noble Lord, having his connexion with the "Portfolio" thus established, would then,

in this House, and where there were no means of answering him, have made the assertion of that connexion his principal and best, if not his only answer to the charge which was, for the first time, then publicly brought against him of direct and deliberate collusion with the Cabinet of Russia. Mr. Urquhart, however, instead of taking that course, instead of forcing the noble Lord, by pressure of the law, to pay the expenses of the "Portfolio" out of the funds of the Foreign Office, very wisely, in the year 1838, paid them himself. It will be for the House to determine, when it sees the accounts, which on the application of Mr. Strangways and the late Mr. Backhouse, the two Under Secretaries of State, were sent into the Foreign Office—whether they have not here sufficient evidence to convince them that the facts are such as I have stated.

Sir, I have mentioned Mr. Strangways. I am glad to hear that the noble Lord has given him an unlimited *congé*, and that he is now in England. I trust that we shall have the benefit of his evidence upon these subjects. I wish I could raise from the grave Mr. Backhouse; and ask him under what circumstances it was that he was induced by the noble Lord to set his name to those deplorable denials of the connexion of the "Portfolio" with the Foreign Office, which have appeared in print; and, for the purpose of screening his principal, deliberately to subscribe his name to a lie? I tell the noble Lord that he is responsible for the death of Mr. Backhouse; he is deeply responsible for that calamity—much more so than he seems to be aware of. I know that that unfortunate gentleman, in his last moments, and with bitterness of tone, declared that the noble Lord had brought him to his grave.

About a month before the publication of the first number of the "Portfolio," on the 3rd of October, 1835, Mr. Urquhart received his commission as Secretary of Legation at Constantinople. It was given him for the one purpose of securing the adoption there of the Turkish commercial treaty, then waiting for the final approval at the Foreign Office and the Board of Trade. But notwithstanding his appointment at that time, he remained in this country until June or July of the following year. The noble Lord pressed him to go; the applications to him urging his departure were numerous; but his answer invariably was; "I will not go, until I have this commercial treaty settled with the Board of Trade and the Foreign Office; and then I will accompany it and procure its acceptance at the Porte." The noble Lord was unable to prevent him from thus acting;—enjoying as he did the favour of the Crown. Accordingly the noble Lord at last gave his approbation to the treaty, and the treaty was forwarded to Lord Ponsonby. It was not till then that Mr. Urquhart proceeded to Constantinople.

I interrupt myself here to anticipate an objection which may be urged against me. I have been obliged to state many matters which may wear, in the eyes of those uninitiated in the secrets of this case, the appearance of a violation of confidence. Documents from which I am about to quote may appear still more confidential than those already referred to.

Sir, I answer such objections in the language of men of honour. On the 21st of June, 1838, in the course of the debate on the Circassian question, a noble Lord, who stands deservedly high in the estimation of this House—I mean Lord Stanley—when this charge of breach of confidence was brought against Mr. Urquhart, in respect of this very matter, said that—

"He knew nothing of Mr. Urquhart personally, but that he would say, that he conceived the publication of the letter to be quite a natural course for a man of honour and a gentleman to pursue, when he heard a Secretary of State say, that he would not produce a letter written by that gentleman, on the ground of its not being official, but at the same time charged it with being, from first to last, full of the grossest misrepresentations. He could see no proper course to pursue but that which Mr. Urquhart had taken; which was to publish the whole letter, that its contents might be made known to the world; and, in order to judge this matter at issue between him and the Secretary for Foreign Affairs, demand a Committee of the House of Commons. He (Lord Stanley) felt not the slightest reluctance to use the evidence contained in this letter," &c.

Sir Robert Peel, on the same occasion, said, that—

"It was perfectly clear that in point of argument the case was satisfactorily settled; and that there was a strong case for inquiry."

And he particularly mentioned—

"The six years' concealment of the Russian blockade of Circassia by the noble Lord at the head of Foreign Affairs," &c.

Sir Stratford Canning likewise on the same occasion said, that—

"When he considered the circumstances under which that letter was published—when he remembered the circumstances under which he moved for the papers in question, and the reason given by the noble Lord (Viscount Palmerston), he was satisfied that he would be more than justified in

the opinion of the House at large in having made use of this letter in reference to this question. If he had been in the place of Mr. Urquhart, he should not only have felt himself at liberty, but that it was incumbent on him to pursue the course which that gentleman had taken; and whatever responsibility was incurred, rested on the noble Lord."

Now, Sir, such is my answer to the objection. But, I have this further answer to make. Sir Herbert Taylor is no more. Shortly before his death, he gave directions for the destruction of all his papers, with one remarkable exception; and that exception embraced all the papers connected with this case. Those papers he ordered to be given up to Mr. Urquhart, and they were given up to that gentleman; and he has placed them in my hands; for the purpose, as Sir Herbert Taylor expressed it, of vindicating, upon the fitting opportunity, the memory of King William the IVth.

Sir, Mr. Urquhart proceeded to Constantinople. Before he left this country, however, he received from the noble Lord's Colleague, the then Ambassador there (Lord Ponsonby), a letter which I will read to the House. It not only confirms the statements that I have already madé, but goes far beyond them. It will be seen how Lord Ponsonby, in 1836, condemned the faint and truckling policy of some Members of the Administration, and expressed his sense of the immense difficulties with which Mr. Urquhart, as well as himself (for Lord Ponsonby, too, was then in earnest), had to contend.

Sir, I will not trouble the House by reading extracts from more of those letters than the first; which is dated 23rd of March, 1836. Lord Ponsonby says—

"My dear Urquhart—On the 15th I received, by Vienna post, the "Portfolio, No. 12," inclusive. I had before seen three numbers, I think, or four. I cannot sufficiently express my admiration of the work; though I differ from you in some things.

"The despatches from Pozzo di Borgo are inestimable. I, above all men, must prize them; for they confirm everything I have said for years past, and justify the whole of the policy I have recommended, and, in as far as it rested with me to do, acted upon also. I am happy that Prince Metternich will learn how he is esteemed by the Russians. I am a great admirer of Metternich, and the sworn friend of Austria; believing that England and Austria ought to be intimately allied for their common benefit.

"I do not fear Russia one bit at present, nor have I any dread of her future power; provided we have either wise heads or stout hearts left in England, to direct and take the commonest means for our own security and interest. I know that Russia is of the Titan breed; but her gigantic limbs are unformed and unwieldy, like an overgrown child's. If the Titan blood had been destroyed in infancy, Jupiter would not have had to fight for Olympus; but Jupiter was successful, and so shall we be, let Russia do what she will—aye, even though she should seize upon Constantinople. It is true that we shall have a severe contest in the latter case, and that we might now prevent all possible danger by taking the simplest measures of precaution, and not even vigorous enough to shake the smallest nerve of the most sensitive of our statesmen. I trust you are not about to leave London."

The noble Lord opposite was pressing Mr. Urquhart to leave London for the purpose of destroying the treaty. Lord Ponsonby says—

"I trust you are not about to leave London. You are invaluable there, and not necessary here. I hope you will at least be in London when my next despatches reach it. You have, I presume, seen the last secret one I sent? What could you do for yourself here, or for the cause, that would elevate you, or assist it, the hundredth part so much as you have done, and must continue to do, at home? There is nothing for you to do here at present; though the time will come, ere long, when this place will furnish you full room and scope enough for all your energies and talents.

"I read in the *Morning Chronicle* of the 24th or 25th of February, an article on the affairs of the Sultan and Mehemet Ali;—most incomparably foolish, but exactly in the tone and in the sense of some influential men at home. It is not new to me. But I cannot say what dog has returned to his vomit, and again spewed up his undigested garbage. I hope you will lacerate these pretenders to knowledge about this country, and asses, whose brayings are mischievous in alarming the poor Turk; who, like the lion in the fable, thinks a loud voice the true indication of strength. The stupid beasts deserve the scourge, to teach them to know themselves.

"I see Mr. Poulett Thomson holds you and the 'Portfolio' in equal contempt. I thought he had been too clever a man for that. But I know little or nothing about him, excepting that he was a Russian merchant, and might naturally have feelings for the country from which he drew his profits. There are several others who have, or have had, similar connections with Russia, and who may have prejudices in her favour. This should be looked to."

So, Sir, do I say!—

"Many months ago I told you I considered the game to be won here. I think when you really know what I have done, you will be pleased with me. I refer you to Hudson;—he knows.

"I had been led to believe you had changed your mind respecting Circassia. No! I did not believe it; but I heard it. I am delighted with the manner in which you have treated that subject: it is admirable. I hope you have approved of what I have done in my despatches respecting it."—

Those despatches I call for—

"I considered it, from the beginning, to be next in importance to the possession of Constantinople itself; but it is only lately (comparatively speaking) that I have known the facts of the total freedom of that country from every legitimate

subjection or tie to the Sultan, and, therefore, the total illegality of any title assumed to it by Nicholas. If we had any man in England worth a straw, we should soon settle these matters; but our statesmen, high and low, are pedlars, like old ——;"—

(Then follows the name of an hon. Member of this House, which I must omit)—

"but without the sagacity that distinguishes the Israelite who carries about his small wares for sale to housemaids and scullions. Pursue the line you have taken. Maintain by continued exertion the place you have already won, and be assured that you will beat and override the puny beings, who now stand above you in right, solely, of seniority. I hope you will show the world most fully, how sound the policy of Prince Metternich has been with respect to Russia. I will not say I wholly approve of the mode he has taken up. I think he ought to have more vigour, and trust less to finesse; at which the Russians will beat him. He can no longer fear France. Louis Philippe has beaten the Propaganda; and Austria has no longer a single cause to fear France; for France has not one motive to interfere in Italy, except in the event of Russia obtaining possession of Constantinople, through the blunders or negligence of Austria. If Prince Metternich would speak out, and intelligibly, the British Government could not hesitate (however willing they may be to do so) about taking a decided and strong part; and then Russia would be wholly and irrecoverably undone, as an aggressive Power in the East, and Austria saved from evils, sure to come, and of no small magnitude, unless Russia be checked. I think (you will recollect I wrote to you on the subject a great many months ago) you have shown that Prussia has been pushed on by Russia, and is the instrument of that Power. I do not believe in the consistency and stability of Prussian power; but I am certain it may last long enough to produce immense mischief to Austria, and may perhaps involve Europe in another war of a malignant kind.

"I tell you nothing of this country. You will see enough of that subject in my next despatches, which I shall send in a few days. I send this by sea. . . . . Yours, very sincerely,

"PONSONBY."

Now, Sir, I have read that document to the House because the writer was the instrument whom soon afterwards the noble Lord employed to get rid of Mr. Urquhart. Mr. Urquhart arrived in Constantinople shortly after he left this country. On his way to Constantinople, he heard of the death of M. Blacque, his most valuable ally; who had been for so many years acting in concert with the late King and his servants, in the prosecution of that Eastern policy so useful both to his own country, France, and to England. Whilst on his way to London to take Mr. Urquhart's place here, M. Blacque was poisoned at Malta by Russian hands. The only servant whom he had with him,—and who was afterwards known to have been in commnnication with the Russian Embassy at Constantinople,—immediately arrived there, and circulated the report that M. Blacque had died of poison administered to him by the English; a report which was currently believed and circulated amongst the Greeks. The report itself, like the event to which it referred, was of course of Russian origin. I mention this to show the immense importance that Russia was supposed to attach at that time to the matter of these negotiations. Mr. Urquhart then arrived at Constantinople. He found that the treaty had been taken out of his hands, and placed entirely in the hands of Lord Ponsonby; who was to present it to the Porte with no discretion about it, but to call for its unconditional acceptance or rejection. The letters which Lord Ponsonby continued to write to Mr. Urquhart, who was suffering from ill health at that time, and which I have here before me, were of the most friendly description. They were even of the most confidential kind. His Lordship continued to make the most bitter animadversions upon the conduct of the noble Lord opposite. At length, Sir, Lord Ponsonby addressed to him a letter of a most remarkable character. I will not weary the House by reading it now. I will merely state that it informs Mr. Urquhart that, in his Lordship's judgment, it is better, for a variety of reasons which he does not think fit to explain, that he should go home immediately on leave—that circumstances have occurred which though they have not changed his (Lord Ponsonby's) convictions on the great subjects pending there, may operate to change his acts—that he (Mr. Urquhart), moreover, was no longer to hold himself bound to act with Lord Ponsonby, because he (Lord Ponsonby) was no longer able to act with him, although his convictions remained as before, and the same as his (Mr. Urquhart's) own,—and then it concludes with the reiteration of Lord Ponsonby's hope that Mr. Urquhart would at once go home. This mysterious advice was not understood nor followed by Mr. Urquhart at the time; but a month later he had learned to understand it too well.

Within the month, and by the next despatch, or almost the next, he received from the noble Lord opposite the first notification that there were complaints of his conduct; said to have been preferred by Lord Ponsonby in the month

preceding this period, on the authority of several merchants and other residents at Constantinople, and justifying, in Lord Ponsonby's opinion, his removal. But of the nature of these complaints, neither Lord Ponsonby nor the noble Lord opposite have ever yet given the smallest explanation. All that Mr. Urquhart was told was, that complaints had been received at the Foreign Office, such as made it necessary for the noble Lord to give Mr. Urquhart permission to return home. This was followed up by a cold and official notification from Lord Ponsonby, informing him, in answer to his application, that though he still retained his office of Secretary of Embassy, as well as that of Chargé d'Affaires—to which I forgot to mention that he had in the mean time, and only a few days before, been accredited by the noble Lord opposite—he could not be allowed, whilst at Constantinople, to enter the palace of the Embassy, or to peruse a single paper belonging to its archives. The inquiry in Parliament to which I have already alluded, and which was demanded by Sir Stratford Canning, was an inquiry into these charges, as well as into the charges made against the noble Lord opposite; and there again inquiry was refused. Sir, I have no hesitation in saying, and I am in a position to prove, that the noble Lord suborned Lord Ponsonby to make those complaints, in order to procure the removal of Mr. Urquhart from his post; and thus to give the noble Lord an opportunity in England of securing Mr. Urquhart to his own interest, or in the failure of that attempt of utterly destroying his position. I dare the noble Lord to state to this House what charge was ever made against Mr. Urquhart by Lord Ponsonby, or any other person at Constantinople, on the faith of which he pursued this line of conduct. That the charges, if any, could not be of a very grave character, is clear from this, that Mr. Urquhart has never been dismissed. A mere *congé* was given him, accompanied by a letter of a most friendly and even familiar kind from the noble Lord opposite. But Mr. Urquhart was not dismissed, nor has he to this day ever received his dismissal. After his return to England, he was still Secretary of Legation and Chargè d'Affaires at Constantinople. But not the less were the services of this Gentleman, whose value was recognised by the noble Lord himself, lost to the country—a loss the amount of which was increased in proportion to the magnitude of the danger. In fine, the removal at such a time of a such a man took place upon the supposition of complaints the nature of which has never been stated, but which are admitted to have been of so trivial a character as not to justify his suspension from office. In the mean time, attempts had been made by the noble Lord to discredit Mr. Urquhart's character at Windsor Castle and elsewhere. Before leaving Constantinople Mr. Urquhart received letters from Sir John M'Neill, our Minister at Teheran, and from other public servants in different parts of the world, all referring to communications to his prejudice made to them from the Foreign Office—communications circulated by servants of the Foreign Office all over the world—and all stating that grave complaints had been made against Mr. Urquhart by Lord Ponsonby, for months before Mr. Urquhart heard anything about them—for months before the final communication was made to Mr. Urquhart that his services were no longer required; and for months during which the most friendly and confidential intercourse subsisted between him and that nobleman. Whence this activity? To what is it to be attributed? Who is answerable? Let the events speak. Who had been ever anxious for the removal of Mr. Urquhart from Constantinople—who but the noble Lord opposite? And when it was effected, mark what were the consequences.

Immediately the treaty fell into abeyance: the negotiation of the treaty was thrown aside—and it was never taken up again—never until two years afterwards: and then for what purpose? Then it certainly was taken up and signed, and presented to Parliament by the noble Lord; and he certainly then gave to Mr. Urquhart the compliment of being the author of it, disclaiming for himself all merit in its regard. In fact the handsome way in which the noble Lord made that declaration obtained for him the greatest credit at the time—for all had heard of Mr. Urquhart's denunciations of the noble Lord, and few had examined the treaty. But those who had examined the treaty were of another mind. They saw what it was the noble Lord had done with it. He had destroyed it. It was falsified in every part. It had been framed for the protection—it was converted to the ruin—of commerce. As drawn by Mr. Urquhart, it had been a treaty which placed the subjects of Great Britain, in Turkey, upon the footing of the most favoured nation,

The treaty, as altered by the noble Lord, placed the subjects of Great Britain upon the footing of the taxed and oppressed subjects of that Power. The treaty, as prepared by Mr. Urquhart, stipulated for the removal of all transit duties, of all monopolies, and of all taxes and duties of whatever character, other than those stipulated by the treaty itself. The treaty, as falsified by the noble Lord, contained a clause, declaring the perfect right of the Sublime Porte to impose whatever regulations and restraints it pleased with regard to commerce. The treaty of Mr. Urquhart left importation free, or at least subject only to the old duty of 3 per cent. The treaty of the noble Lord raised the duty from 3 to 5 per cent. Mr. Urquhart's treaty stipulated for an *ad valorem* duty, to be assessed in the way I have mentioned. The noble Lord's treaty stipulated a fixed duty of 12 per cent *ad valorem* upon every article, whether it would bear the duty or not. And, finally, the original treaty extended the benefit of free trade to Turkish ships and Turkish produce; whilst the substituted treaty contained no stipulations whatever on the subject. I know, Sir, that there is a clause in the changed treaty which professes to give to England a certain equality of rights with other nations. But, Sir, let the House examine this clause—it is the first article—and it will be found to be no concession at all. For, Sir,—independently of the qualification annexed to it, by the subsequent articles to which I have referred—the article reserving to the Porte the right to make what internal regulations and restraints on trade it pleases; and the articles imposing the duty of 12 per cent—a duty from which Russian subjects are exempted—and which articles would completely override the concessions of the first article, did such exist—that article is so worded as of itself effectually to disentitle us to share with other nations in any commercial advantages then existing. It says, "rights which the Porte now grants, or shall hereafter grant," &c. Now, the treaty of Mr. Urquhart gave the subjects of Great Britain all the rights which the Sublime Porte "has ever granted, or shall hereafter grant" to any nation. That concession was expressed in the familiar and appropriate language of treaties. The noble Lord's departure from the same form is most remarkable and suspicious.

Sir, I charge these falsifications—I charge also the concealment of them—upon the noble Lord; and further, I charge the noble Lord with having falsely stated to the House that this treaty was that which had been arranged by Mr. Urquhart. I charge him with having done this with the design of misleading public opinion; and because he knew that the treaty so long pending had become popular amongst the British merchants at Constantinople, chiefly because they knew it to have been negotiated by Mr. Urquhart, in whom they reposed the greatest confidence.

Sir, into the consequences which have flowed from the falsification of that treaty, I will not enter. But the evidence is there before the world. I will only say, that as a treaty of commerce it has miserably failed—as a means of sowing dissension in Turkey, and impairing the Turkish revenue, and destroying the ascendancy of England in the councils of Turkey, it has been signally successful. Our merchants understand it now but too well. When it was first signed, however, they were under the impression that it was such as Mr. Urquhart had made it; and thus, and notwithstanding the obvious bearing of it, it was no sooner promulgated to them by Lord Ponsonby, and by that Ambassador—who had by this time given his adhesion to this dark policy of the noble Lord—represented in the most favourable point of view, than the British merchants of Constantinople signed an address, thanking him for having concluded it. But I now state—and I state it advisedly and with confidence — that every merchant who signed that address has been made to discover his error, by having long ago become bankrupt. I say further, that the bankruptcy of one and all of them is wholly and solely attributed to this treaty, and with most perfect justice—that the same misfortune has befallen the merchants of such other States as have accepted for themselves that treaty, relying on our example, and our presumed sagacity in commerce—and that Russia alone has had the wisdom to stand aloof, and to rest upon her Treaty of Adrianople, and to escape the danger. I say advisedly, that at this moment there is no commerce successfully carried on by a single British subject at Constantinople, who is not a partner in a Russian house, or does not carry it on under Russian protection. The papers laid before Parliament in 1843 establish my allegations.

Sir, this, however, is not all. At the time that Mr. Urquhart was engaged in the prosecution of this treaty, the King

was engaged with Sir Herbert Taylor in devising means, with the consent of the noble Lord, for the purpose of reopening the entire question of the Treaty of Adrianople. I come to the case of Circassia; and I speak in the presence of the noble Lord. I say, then, that Mr. Bell, with the full knowledge of the noble Lord, and with his sanction—certainly without any expression of disapproval—after full notice—after receiving from the noble Lord a statement that no blockade had as yet been notified by Russia on the coast of Circassia, and that therefore, by proceeding to the coast of Circassia, there was no danger of confiscation under the international law of blockade—under all these circumstances, and after making all these applications to the noble Lord, Mr. Bell, in compliance with the wishes of his Sovereign, equipped the *Vixen* at his own expense, for a commercial voyage to the Circassian coast. For the same purpose he put on board of her a cargo of salt, an article which is there in great demand, and which had been, and which it was thought would become again, a principal object of commerce between England and Circassia. The *Vixen*, with Mr. Bell on board, left the English coast, and proceeded on her voyage to Constantinople and Circassia. Arrived at Constantinople, Mr. Bell put himself in communication with Lord Ponsonby, whose favourable judgment of the claims of Circassia, and of the rights of Great Britain in Circassia, the House has already heard stated by himself in the letter I just now read. Lord Ponsonby approved of the voyage, and only cautioned him to take care not to violate any blockade. He was right;—because, whether Russia was or was not entitled to the territory of Circassia, still, if she kept up a sufficient blockade on any part of the coast, then under the law of nations confiscation would properly take place against any vessel breaking it. Mr. Bell being already prepared to adopt this course, most cheerfully undertook to do so. On the other hand, Lord Ponsonby and every member of the British Legation publicly expressed their approval of his procedure, and went down to the water side in a body, and there witnessed the departure of the *Vixen* from Constantinople to the coast of Circassia. Arrived on the coast, Mr. Bell took her into a harbour not in the occupation of Russia. There was no Russian force there nor in the neighbourhood. There was nothing whatever from which to give Russia occupation, or even the name of it. There were no Russian ships of war in sight, nor in the offing. Nothing of the kind had been seen, until a Russian vessel of war came into the harbour thirty-six hours after the *Vixen* had cast anchor, and at a moment when the owner and some of the officers were on the shore engaged in fixing the dues demanded by the Circassian authorities, and payable on the value of the goods. It was thirty-six hours after the *Vixen's* arrival, and while her people were so engaged that the vessel entered this port—coming not coastwise but from the open sea. She sent a boat and forcibly took possession of the *Vixen*. I beg the House to observe, that this seizure was grounded by the captors themselves upon the pretext, as the Russian Admiral in a despatch which I have here states, of her having violated—not the quarantine laws, nor yet the customs laws of Russia—but the international law of blockade. The despatch states, that she was captured as having broken a blockade, which he said was an efficient blockade, and kept up by the Russians on that coast.

This false pretext of the Russian Admiral, however, proved on examination, insufficient to justify the measures of the Russian Cabinet—measures taken, as the dates prove, in concert with the noble Lord; so as to enable the Russian Government to obtain both the confiscation itself, and the recognition of that confiscation by the English Government, and thereby at once the formal acknowledgment that the Treaty of Adrianople and entire extinction of Circassian independence, so far as that independence rested upon the hope of support from England. Therefore, in the despatch which came from St. Petersburgh, announcing that the confiscation of the ship had followed the seizure, that confiscation was grounded no longer upon the inapplicable laws of blockade, but upon certain municipal regulations of Russia; which were there stated to have been made in 1831 or 1832 by the Russian authorities, for the purpose of establishing quarantines and customs-houses on the coast of Circassia.

Mr. Bell represented—urged—and remonstrated. The noble Lord was obliged to put himself in communication with the several parties; but he did so in such a manner as effectually to assist Russia, and defeat Great Britain. By the papers before Parliament, it appears that, to the insolent and false statements of the Russian Ca-

binet, in answer to the application of Mr. Bell, the noble Lord delayed to reply for the space of seventy-three days. I will here observe that, whenever there is any correspondence pending with foreign States, the noble Lord's delays are always very great and very frequent; that is to say, whenever the effect of delay is to injure England. During the whole of this intervening period, to whatever inquiries were made in this House, the noble Lord always gave answer and assurance that things were going on very well. But, upon being asked for the papers in connexion with this subject, the noble Lord always refused to do so, giving also his reasons. I beg the House to hear them, and to bear them in mind. They explain the views upon which the noble Lord has always acted, when the question of producing or not producing the papers which elucidate his policy has come before the House.

On the 17th of March, 1837, Mr. Roebuck had moved for papers on the Treaty of Adrianople, and the *Vixen* case, then pending. The noble Lord said—

"If those papers are found to bear on the case in question"—

That is to say, on the case of the *Vixen*—

"their production at the present time would only be injurious. And such of them as bear on bygone cases, obviously can be of no use to the hon. and learned Gentleman who has moved for them."

Sir, I again interrupt myself to say that it is hard upon any hon. Member of this House to find himself censured now for moving for papers of this importance, when he perceives that, in former Parliaments, such reasons have ever been found sufficient to justify the noble Lord in denying them to the House. If, the noble Lord says, they relate to any case that is pending, it must be injurious to produce them; but if, on the contrary, they relate to a case that is past and gone, they can obviously be of no use to the Gentleman who moves for them, or to the House. It did not enter into the mind of the hon. and learned Gentleman, on the occasion referred to, nor was it the policy of the noble Lord to state, that, although their production might be too late to serve the parties more immediately concerned, it might be very useful for bringing to condign punishment the Minister who had betrayed the interests of his country.

I spare the House the recital of the painful and disgraceful termination of this business. Suffice it to say, that, when matters were ripe for concluding it, Lord Durham, acting, as I fully believe, in concert with the noble Lord, falsely stated in a despatch of three or four lines —not more, at least, was laid before Parliament—that the Cabinet of St. Petersburgh was fully justified in seizing the *Vixen*, for the Russians were in actual occupation of the bay, and that there was even a Russian fort there. It was a most unfounded statement. There was not even a blockading squadron in the offing—much less a Russian fort on any part of the coasts of the bay. I have here the evidence of well-informed persons, who report that there was no fort at all there then, nor for many months afterwards. It is distinctly stated that there was no such fort. I believe that, in fact, the assertion was made in order to lay the ground which should enable the noble Lord to write his next despatch; and this —the King being now in imminent danger of that death which soon followed—was no longer delayed. The noble Lord knows better than most men when to tarry and when to precipitate. That despatch contained an unqualified recognition of the right of Russia to do what she had done. I charge the noble Lord with the wilful and deliberate betrayal of the Circassians, the ally of England, who had been encouraged by a recommendation to open trade with this country. I charge the noble Lord with their betrayal to the deadly foe of this country as well as their own; and I charge him further, with the deliberate betrayal and violation of the honour and safety of Great Britain—and of the rights of British merchants; whose losses remain uncompensated to this hour. I charge the noble Lord with having done this, with the design and with the effect of transferring to a foreign Power, the dominion of an independent territory, which it was necessary for that Power to possess in the prosecution of her designs against our Indian empire. I further charge the noble Lord with having deceived the Parliament with false statements and suppressions of fact in reference to this matter. And I charge him with having practised the same deception upon his Colleagues, and upon his Sovereign. Therefore, Sir, combining these charges together, and as the necessary result thereof, I, in the last place, charge the noble Lord with the superadded guilt of high treason. And, Sir, I undertake to prove all these charges to the very letter. When the noble Lord shall lay the papers I demand before this House, I will prove my charges before any tribunal

which this House may think fit to appoint. If it is not thought convenient from suggestions of economy — (economy, Sir ! in the investigation of crimes which have already cost this country one hundred millions of money, and a priceless sacrifice of honour and reputation!)—if, I say, upon considerations of economy, or upon any other consideration, it is thought advisable that these documents should not be printed, I will be satisfied to peruse them in manuscript; If publicity be dreaded, I am content to remit their consideration to a Secret Committee. We have high and recent authority—I allude to the Ministerial authority to which we listened the other night—for referring to Committees of Secresy the investigation of national embarrassments and dangers. I repeat, that, if it is thought fit, I will be satisfied with a Secret Committee; though I should certainly prefer a Public Committee, or rather a Committee of the whole House. In either event, I do now undertake to prove all these charges before the tribunal so constituted.

Sir, the King died, just before the case of the *Vixen* was finally concluded; and then the office of Private Secretary to the Sovereign was abolished; and the noble Lord was free from that moment to take his own course. I say his own course, because the noble Lord consults no one unless where he thinks fit to do so. He is known to act without consulting even his Colleagues; and this is a peculiar circumstance in his policy. It has been, for instance, charged by M. Guizot, and not denied by the noble Lord, that, in the affairs of Syria in 1840, amongst other important instances of the kind, the noble Lord acted without the authority of his Colleagues. Yet his Colleagues, like himself, are Privy Councillors—Members of that standing Council of State, the Privy Council, which it is the duty of every Minister to consult before taking any steps even in his own department.

Sir, the coincidence of date between the betrayal of the Circassians and the sacrifice of Mr. Urquhart is remarkable; and both events, be it observed, were calculated so as to fall in with the late King's death. Although connected with these matters, I shall very briefly pass over another most important charge against Lord Ponsonby, and state merely the result. I say that that nobleman, in the person of his agent or instrument, Major or Colonel Du Plat—(the proceedings connected with this subject are on record in the Court of Queen's Bench in this country)—and himself being then Ambassador at Constantinople—made himself the author and publisher of an atrocious and malignant libel against his own Secretary of Legation, Mr. Urquhart; and that this libel he published anonymously in the papers here, with the intention of destroying his reputation, and in order to give weight to those misrepresentations which the noble Lord opposite had already circulated. I hold the briefs in my hand which were held by the late Sir William Follett as counsel for Mr. Urquhart when the rule was made absolute. I shall not read the libel; it is sufficient to say that it was published in the noble Lord's (Lord Palmerston's) own journal, the *Morning Chronicle*. It was admitted and even sworn by the editor of that journal, that it had come from Lord Ponsonby's attorney, one Walker. A rule was therefore obtained against Walker, by whom it was further admitted, that the libel was written by this Colonel Gustavus Du Plat, and who was then engaged at the Embassy in Constantinople. Again, whilst the application was being made for the rule to be made absolute, that attorney stated to the effect, that it was so written under the sanction of Lord Ponsonby (also at Constantinople); for he said that he (Walker) was waiting for further instructions from Lord Ponsonby, from whom he had already received the instructions on which he had thus far acted. I say, that, upon these statements being made, and on the rule being made absolute against Walker—and not wishing to press upon an obscure man, who, after all, had acted merely in the capacity of servant to the main offender,—Mr. Urquhart never prosecuted the matter further, but consented to allow the proceedings to be dropped as against him, upon his making submission and paying the costs. Consequently, Mr. Urquhart waited in patient expectation that the time would come, when a sense of honour on the part of the noble Lord's Colleagues, if not of the noble Lord himself, should induce them to send peremptory instructions to Lord Ponsonby to return to this country, and also to send home this Colonel Du Plat, or to make some other arrangement, so that they might be made to abide here the proceedings which Mr. Urquhart only waited for an opportunity to take against both. Neither the one nor the other of them, however, came home till two years afterwards; and then it was too late, according

to the judgment of Sir William Follett, to commence effectual proceedings against either Du Plat or the noble Lord. Yet that Lord Ponsonby was the author and Colonel Du Plat the instrument of the foul and malignant libel, could not be denied by the Ministers who screened them. It was even admitted in court by the Attorney General of the day, who defended Walker on the occasion of making the rule absolute—I mean the present Lord Campbell. He told the court, "We are utterly powerless, and have no means of contradicting these statements;" and, although stated on oath, they have never been contradicted to this hour. I say further, that the nominal author of this atrocious libel—Du Platt—was immediately afterwards appointed by the noble Lord to the responsible and difficult office of British Consul at Warsaw. What has been the conduct of that gentleman there? He was the Consul who, three years ago, deceived Lord Aberdeen when he was Foreign Secretary with respect to the outrages committed against the nuns of Minsk. He was the Consul on the faith of whose assurance Lord Aberdeen believed that the statements of those outrages were all without foundation and false from beginning to end—that there were no nuns at Minsk—and that the abbess was an impostor. I admit, Sir, that Lord Aberdeen ought to have doubted whether a Consul in Warsaw did of necessity know perfectly well what was passing in Lithuania; but that does not in the least degree mitigate the guilt of the agent. This, then, is the agent, this the instrument whom the noble Lord selects, and leaves behind him as a *pura hæreditas* to his successors in office.

There is a parallel instance. Does the House remember who it was that deceived Lord Aberdeen in 1843, with respect to the Servians? The man who informed him in 1843 that the faithful Servians were divided with respect to the choice of a prince, and in open revolt against their sovereign the Sultan, was another nominee of the noble Lord. The statement was utterly and inexcusably false, and was afterwards proved to be false by Sir Stratford Canning. The fact was that the Servians only wanted to keep out Russian intervention; and this they effected by remaining firm in their allegiance to the Porte, and unanimous in their choice of Kara Georgewitsch—and determined at all hazards never to bring about a state of things which would justify Russia, under the Treaty of Akerman, in interfering therein. Who was it that misled Lord Aberdeen in that important particular? It was one Mr. Fonblanque. And that officer is only another sample of the noble Lord's disgraceful connexion with the public press of this country. He happens to be a brother of the editor of the principal weekly organ of the noble Lord; and, although his previous conduct in an office which he held under the noble Lord had made his removal necessary—conduct to which, as it has been remarked upon by an hon. Member of this House in his place here upon another occasion, I do not think it necessary for me further to refer,—this Mr. Fonblanque, having disgraced that office which he had formerly held under the noble Lord, was judged fit by the noble Lord to take the important post of Consul at Belgrade. What his demeanour has been in that office I have shown. These then are the agents whom the noble Lord selects. I wish the House to judge of the motives and the objects which the noble Lord must have had in view when he ventured on their selection.

Sir, the results of all this policy did not fail to show themselves. In 1839 a second war was raging between Mehemet Ali and his sovereign, the Sultan. Russia, under the Treaty of Unkiar Skelessi, which gave her the right to the occupation of the Dardanelles, to the exclusion of all other Powers, in the event of war, was about to enforce her rights under that treaty. The Porte, anxious to escape from the obligations of that treaty, and relying upon the policy of William the IVth., as being still the policy of Queen Victoria, and not understanding that in this country—this constitutional country—the Monarch acts only through advisers—irresponsible advisers, I am bound to add—and that the course of policy is determined entirely by reference to matters of doctrine or opinion on subjects altogether foreign to that policy, and not at all by any reference to the integrity and fitness of those advisers—and that they, nevertheless, are suffered to advise and act without control—the Sultan, I say, ignorant of all this, applied to the British Crown for protection. Let the House observe, against whom was this protection sought; for the whole case turns on that. It was not against Mehemet Ali, but against Russia;—or rather it was against Mehemet Ali as pushed on by Russia. To merit the protection sought,

the Sultan had offered—the proof is here—to place the Dardanelles in possession of an English and French squadron. This he first offered in 1836. Now, what was the answer of the noble Lord? Sir, it was a censure upon the diplomatic agent to whom the offer had been made. Redschid Pacha, who was then Turkish Ambassador at the Court of France, made the proposal. The censure was addressed by the noble Lord opposite to his own Secretary of Embassy, Mr. Urquhart. There can be no mistake as to that. I have here the noble Lord's letter of censure upon Mr. Urquhart; and the ground is, his having even listened to the proposal of Redschid Pasha to place the Dardanelles in the power of an English and French squadron—instead of a Russian squadron—in the event of Mehemet Ali marching against Constantinople.

In the year 1839, again, communications upon the same subject were renewed between the Courts of Constantinople, Paris, and London. The noble Lord was applied to by the Court of the Tuilleries, who solicited British co-operation in compelling Russia to abstain from possessing herself of the Dardanelles. That was the *point de départ*, as M. Thiers termed it;—the exclusion of Russia. It was not Mehemet Ali that had to be excluded, but the Czar. However, when applied to by France, the noble Lord made the answer which I have here before me; an answer, let me add, which the noble Lord has never laid before Parliament. It has come to light only by the publication, in 1840, in France, of despatches in the archives of the Tuilleries, which M. Passy, one of the Ministry of the 22nd of May, thought it his duty to make public.

The noble Lord, in answer to that proposition, made this counter proposition—that a French and English fleet should indeed be sent to the Dardanelles, to compel the Russians to quit Constantinople; but only if the Russians continued to retain the place after the danger of the Egyptian invasion should have ceased;—that is to say, and such was the interpretation put upon it by the French Government in their next despatch—"The noble Lord in the mean time resigned himself with great facility to the contingency of a Russian occupation of Constantinople." For this is a point which any one can understand—any one who knows the geographical state of the question. The Straits of the Bosphorus, which connect Turkey with the Black Sea, are comparatively defenceless, and are at least always open to attack. The Bosphorus may be forced, whilst the Dardanelles, or the Straits that communicate with the Mediteranean, are quite impregnable. Anybody who knows that, also knows, that once admitted through the Bosphorus into the Sea of Marmora, all the world would not wrest the Dardanelles from the grasp of a Russian garrison. Yet it was only after the Russians were there, that, according to the noble Lord's proposal, the English and French intervention was to commence. Even then, Sir, it was still further limited; the two fleets were not to enter the Dardanelles even in that case, but upon invitation—invitation from the Sultan, a prisoner to the Czar! The answer was what I have stated, and that answer was laid before the British Cabinet.

The next despatch—one from the French Ambassador—informs his Court, that the noble Lord opposite told him, that the Cabinet had considered the question; under the influence of "the profound impression" which those few words of the French despatch which I have quoted,—viz., that "the noble Lord resigned himself with great facility to the contingency of the Russian occupation of Constantinople," had produced; and that under all the circumstances of the case, he would propose something else in the place of his former offer. He then proceeded to make his new proposition.

The new proposal was, that the two fleets should enter the Dardanelles whensoever invited. Judging of this proposal by reference to its subject-matter, the French Government—as was quite natural—understood it to mean that an application was now to be made to the Porte, for permission to be at once granted to the English and French fleets, authorising them to enter the Dardanelles as soon as a Russian force should enter the Bosphorus. Under this impression, the French sent corresponding instructions to Admiral Lalande, at Constantinople. But the noble Lord sent to the British Admiral these instructions in quite another sense. In the first place, he instructed Admiral Stopford to enter the Dardanelles only when the invitation of the Porte should come through the Ambassadors of France and England, and only during the course of the actual dispute—"contestation" is the French version of the word—with Mehemet Ali; I cite the "definitive instructions" of the noble Lord, dated the 13th July, 1839. He says, that if "in the course of the dis-

pute with Mehemet Ali," the Porte finds itself obliged to ask or accept assistance from any other Power, "the British Government is confident that the Porte will at the same time address itself to Great Britain for the same object." If the Porte does so, Admiral Stopford has orders "to proceed with his squadron towards Constantinople, on receiving from the Porte, through the medium of the Ambassador, an invitation to that effect." The variation in the instructions was remarkable; and the French Government protested against it as soon as it was discovered; but no alteration was on that account made in those instructions by the noble Lord. Negotiations, however, went on. The French Ministers informed the noble Lord that they were determined at whatever cost to prevent a Russian occupation of Constantinople; and that they would prefer to act with England; but that they were prepared to act without her if they judged fit. Just at this period Sultan Mahmoud died,—not without suspicions, and even more than suspicions of violence. On the accession of Abdoul Medjid, the present Sultan, a new Ministry was appointed, and a traitor, Khosrou Pasha, came into office. This man, a hired agent of Russia, is said to have attempted the life of Achmet Pasha, the Admiral of the Turkish fleet, or Captain Pasha. There is, at least, no doubt of his Russian attachments. He recalled the Turkish Ambassadors from France and England. On several occasions he betrayed the signs of a secret and treasonable collusion with the enemy of both. It is also certain, that under the influence of a conviction that the machinations of Khosrou made that step necessary, in order to save his life, Achmet Pasha, the Admiral, went over to Alexandria with the Turkish fleet; and there delivered it up into the hands of Mehemet Ali. No sooner had this taken place, than, so far from doing anything to quiet the just apprehensions of the late Sultan's faithful servants, the occasion was seized by the noble Lord to issue an immediate order to Admiral Stopford, to abandon the Dardanelles altogether, and to proceed to Alexandria. That was the determination taken by the noble Lord. I believe it was afterwards abandoned. But, if it was abandoned, it was only in consequence of the intimation which he received from the French Government, that Admiral Lalande should not co-operate in such an enterprise, but remain where he was, and enter the Dardanelles if necessary; that is to say, in the event of a Russian force entering the Bosphorus. No doubt that such an intimation was sufficient.

Now, Sir, in 1840, when the noble Lord was called upon to justify his treaty of the 15th of July, he told the House, that it was not he who had abandoned the French Alliance, but that the French Alliance had abandoned him. The noble Lord told this House, that the French had refused to co-operate with England in the cause of the Sultan. Even if that were true, it would not justify the noble Lord in introducing a Russian force into Constantinople. But it appears, from the documents, which have been produced before the French Chamber, and withholden from this House by the noble Lord, that the charge was false. The Foreign Minister of France never refused to act with England. Minister after Minister, at different times, suggested alterations in the combined instructions, for the purpose of making them more precise and imperative for bringing about the desired object; that is to say, the passage of the Dardanelles by a squadron of French and English ships, to be called in by the Sultan, for his emancipation from Russia and her Treaty of Unkiar Skelessi. But in no other sense were there any alterations, in the proposed instructions, required by France. I will mention one instance, the truth of which the noble Lord will not deny. One of the courses proposed by the noble Lord was, to have a squadron of English and French ships in readiness to act, at the moment that a Russian force entered the Bosphorus, and was in possession of Constantinople. The noble Lord proposed that these should then be sent to manœuvre, —not at the Dardanelles—far less to take possession of the Dardanelles—but to manœuvre on the coast of Syria, at six weeks' sail distance from those Straits,—and that there they should make a demonstration against Mehemet Ali and his Egyptian forces; and that, when by these means, they had induced Mehemet Ali and the Egyptians to retire from Syria, they should then, and not before, present themselves before the Dardanelles,—fortified as they then would be, by Russian engineers, and garrisoned by Russian troops; and should then, after communication had with Lord Ponsonby and the French Minister, attempt to force the impregnable Dardanelles;—that is to say, added the noble Lord, if they then thought themselves strong enough! The proposal was ridiculed, as it deserved to be, by the French Minister;

and immediately the noble Lord receded from it, and admitted that it was indeed a ridiculous proposal, and undertook to accede to their other proposal, of acting in concert, and entering the Dardanelles together, on the Sultan's invitation. At the same time, and to destroy the effect of his concession, the noble Lord, instead of sending corresponding instructions to Admiral Stopford, sent those instructions on which I have animadverted. It further appears, that the confidential proposal which the French Minister had made to the noble Lord in February, 1839, was by the noble Lord communicated to M. Kisseleff, the Russian Minister, in August. When the announcement of this atrocious perfidy was made in the French Chamber, there was one universal shout of execration.

I am not surprised at that. I am surprised that their indignation vented itself there. I wonder that one single French Member could, after that, have consented to hold any intercourse whatever with this country, whilst represented by such a Minister. How did we behave the other day, in our relations with the Punjaub, under nearly similar circumstances? What were the instructions which our Envoy at Lahore had received? Lord Hardinge instructed that Envoy that, so long as a certain person, who was grievously suspected of treason to the Maharajah, remained in the office of Prime Minister at Lahore, no communication should pass between the English Envoy and that Court. His Excellency the Governor General was of opinion, that it suited not the dignity of this country to hold intercourse that a Minister, so commonly deemed guilty of treason to his own prince. Sir, I think that what we did, in the case of what we term a semi-barbarous and uncivilised Sovereign, might have been done by France in the instance of Her Majesty. I am sure that it would have amply justified France in pursuing the same course towards us. I cannot understand how the announcement of this fact, which has never been denied, although made openly in the French Chamber, regarding the perfidy of the noble Lord, should never have found an echo in this House till this moment.

To understand its gravity, let the House recollect what was the point which we had assumed,—and which the French had assumed,—and which was the point admitted to be the one desired by both the Cabinets. It was the exclusion of Russia from the Dardanelles. It was the destruction of Russian ascendancy at Constantinople. It was the emancipation of Turkey from all those galling and degrading fetters which by our connivance Russia had been able to impose upon her.

But, Sir, on this subject of the extent of our heavy responsibility, for all previous acts of Russia with regard to Turkey, I beg to quote the evidence of the noble Lord the Member for London (Lord J. Russell). That noble Lord, himself a Colleague of the noble Lord opposite, admitted in this House, on the 1st of March, 1843, that—"England had neglected to take any part in the contest that had arisen between those two Powers," that is to say, Russia and Turkey, "with respect to the Treaty of Adrianople." The noble Lord upon that occasion said, "Russia had obtained great advantages under the Treaty of Adrianople, and had secured to herself great power and influence in Turkey, when England and other Powers neglected to take any part in the contest that had arisen between these two Powers;—again, that "by the Treaty of Unkiar Skelessi, Russia had secured to herself additional advantages, the existence of which was most dangerous for the preservation of the Turkish empire; and that England had neglected to take any part." That is the admission that was made by the noble Lord. Yet, strange to say, it was only admitted by the noble Lord, for the purpose of defending himself, and the noble Lord opposite, against the charges brought by Mr. Roebuck upon the 1st of March, 1843, against the noble Lord's policy in another point,—I mean the war in Affghanistan.

I repeat, Sir, that, in 1840, the point which was assumed as the one thing desired—the only thing assumed between the two Powers to be the point desired—was the destruction of Russian influence in Turkey. On a sudden, however, to the astonishment of France, of Europe, and the world, the Russian Baron, de Brunow, arrived in London, on a private and special mission from the Emperor Nicholas. He was admitted to an interview with the noble Lord. He was allowed by the noble Lord to make assurances, which the noble Lord reciprocated to the full. On both sides, the desire was expressed, to put an end to that state of mutual distrust which had existed ever since 1829. M. de Brunow proposed that England should break with France — that she should abandon those measures for the preservation of the integrity of Turkey which England had taken with France—

and that we should allow Russia to occupy Constantinople;—and then he undertook that Russia would take care that England should have all those advantages secured to her in Turkey which she had hoped from the French alliance. Now, what was the answer of the noble Lord? The noble Lord informed Baron de Brunow—and it is not the only instance in which the expression appears—that it is "his Colleagues"——not himself—who think that this is out of the question. That is not the only occasion, on which the noble Lord takes care to speak of his Colleagues, and not to speak of himself;—making it appear that he was in a minority upon that question in the Cabinet. A counter proposal, however, was made by the noble Lord, and in the name of the Cabinet. I am aware of the powerful interest that was brought to bear upon them; that in the House of Lords they were in a hopeless minority; that their majority in this House was at that time very small; and that they knew that, if the noble Lord then went out of office he would soon come in again, a far more powerful Minister, at the head of a powerful coalition. I am also aware of the removal, by death—the opportune or inopportune death — of Lord Holland at that time — an event which effected the removal of the last obstacle in the way of the noble Lord to the obtaining the concurrence of his Colleagues. Still I say that it was a strange and deplorable thing that even so the noble Lord's Colleagues should have authorised him—if, indeed, they did authorise him—to make that counter proposal; and that M. de Brunow, nevertheless, should have felt himself strong enough to reject it. That counter proposal was, that a Russian naval and military force should be admitted to occupy Constantinople; that, in return, the Russian Government should allow three British line-of-battle ships to enter the Dardanelles; that the whole of the Russian navy at Sevastopol, if need were, might anchor in the Sea of Marmora nearest to the Bosphorus; and that only three British ships of war should be allowed to anchor in the corner of the Sea of Marmora nearest to the Dardanelles. M. de Brunow, however, rejected this offer, as not being in accordance with the views of his Government. The noble Lord then applied himself to remove the Muscovite's objections, and to assure M. de Brunow that we really had "not more than three line-of-battle ships" to spare. Thus, Sir, the noble Lord humbly represented to the Russian Minister how strong was the Russian navy, and how weak the squadron which Great Britain could afford to keep afloat in the waters of the Mediterranean. Then he made of their comparative strength and our comparative weakness an argument why they should continue to tolerate our presence in those seas yet a little longer. But a more powerful argument to move the Russian might have been brought forward, and the effect of it was probably not lost. I allude to the avowed determination of France, that, if necessary, she would force the Dardanelles, even though England should refuse her concurrence. Certain it is that the Russian Cabinet at length gave way, and contented itself with the proposal of the noble Lord. Accordingly it was at length accepted, on the faith of an assurance,—that the other Powers, if they were called in at all, should only be allowed to co-operate in demonstrations on the coast of Syria, or anywhere else, except at Constantinople; and that to Russia alone should be confided the trust of garrisoning Constantinople and occupying the Dardanelles, whilst England should have, at the utmost, the permission accorded to her, of sending three line-of-battle ships thither to do honour to the Russian armament. Presuming on the ignorance or indifference of English statesmen, there was a stipulation inserted, that the three English ships should be kept at the extreme corner of the Sea of Marmora;—provided only that the Russian ships would keep at the part of the Sea of Marmora nearest the Bosphorus. Just as if the occupation of the Bosphorus and that of the Dardanelles stood upon the same footing! Such were the terms on which the Treaty of the 15th July, 1840, was signed between England and Russia. This treaty was signed without communication with France. What was the noble Lord's justification? That there was some difference of opinion between England and France upon an entirely subordinate question;—that is to say, whether or not Mehemet Ali should be allowed to retain Syria, which he had obtained chiefly through the noble Lord's intervention, and for the purposes of Russia, in 1833 and 1834. It is well known that it was upon the representations of Lord Ponsonby alone, that in the former war Adana and its territory were added to the Egyptian pashalic. Well then, Sir, because in 1839 and 1840,—if we are to believe the noble Lord,—France and England had quarrelled

upon the question, whether or not Syria should remain an hereditary fief under the Egyptian sceptre, the noble Lord held himself justified in desiring to see the rupture of that intimate alliance, which till then had existed between France and England, for the repression of Russian ambition;—and to see in its place a new alliance realise itself between England and Russia, for the repression of the policy of the former alliance—an alliance with that Russia, whose eastern policy, as the noble Lord had himself, until then, never hesitated to admit, was wholly incompatible with the retention of British empire and influence in the East.

Sir, from that moment, the practical and effectual influence over all negotiations, relating to the East, was taken out of the hands of England, and placed in the hands of Russia. From that moment, Russia became supreme. There was, moreover, this further contingency—one foreseen, I have no doubt—as, indeed, I have little hesitation in saying it was projected by the noble Lord—that if the French Government, faithful to its obligations, had interposed to prevent the operations of our squadron on the coast of Syria against Mehemet Ali, the result must have been a general war—not only throughout Europe, but throughout the world—a contingency which nothing but the wisdom or forbearance of those then at the head of affairs in France prevented. I may add, that at that time the naval force of France in the Mediterranean was superior to ours in the proportion of 1,500 to 1,000. The moderation of France was the only reason why the most dreadful results did not follow from this change in our policy. But for that moderation there would have been exhibited to the eyes of Russia dominant at Constantinople, the grateful spectacle of her two most dreaded enemies destroying themselves by the hands of each other, and leaving to her mercy the remains of an enfeebled and mutilated Europe.

Sir, when the Treaty of July, 1840, was signed, a rumour that such a treaty was in existence circulated in this country. On the first announcement reaching the ears of Sir Stratford Canning, a question was asked in this House of the noble Lord, as to the existence of such a treaty, and its purport. The noble Lord was also asked, whether he had any objection to produce the treaty to the House? The noble Lord declined to state its purport; and he declared that he could not produce it, because—let the House mark this—because it was not yet ratified. It was true that it was not then ratified. But he did not tell the House that, by a special clause in that treaty—a clause framed in violation of all international law, and in utter derogation from all constitutional practice—it was stipulated that the execution or fulfilment of the treaty should precede its ratification. It afterwards appeared that the hostile measures, taken for the purpose of giving effect to that treaty, were being prosecuted, at the very time when the noble Lord was hiding the existence of the treaty from this House, and justifying all that secresy, on the ground that the treaty was not complete, because not ratified. I say, Sir, that the course taken by the noble Lord on that occasion, was such as to give me now the right to accuse him;—and I do now accuse him, of deliberate and criminal mis-statement.

Sir, I deeply lament the course taken by France upon that occasion. By the treachery of the noble Lord, France was placed in a proud position, if only she had known how to make use of it. If France had refused to co-operate with England—if France had refused to admit the treaty of July—if,—as it remained for her to do,—if France had insisted upon the faith of former treaties, and claimed their fulfilment—if France had insisted upon the nullity of the Treaty of July, and had appealed to the Crown of Great Britain against the secret, and unlawful, and unauthorised act of its servant—if such an appeal had been made, such measures taken,—there is no doubt as to what would have been the answer of the British people, and what would have been the course taken by their Queen. The result must have been the instant rejection of the Russian alliance, with all its unspeakable turpitude; and, far from dictating any longer to his Colleagues, or his Sovereign, the terms on which he would consent to remain in office, the noble Lord must have perished in the storm which the detection of his guilt would have conjured upon his head. But the Ministers of France made away with their advantage—they fell into the snare which had been laid for them by the noble Lord, and founded themselves upon his example. Instead of demanding chastisement, they proposed imitation. Their first act was to arm—not for defence, but for aggression—aggression, too, directed not against England or Russia, but against the whole of Europe. They equipped a

hostile and invading force. They threatened to take possession of the territory intervening between the Rhine and their present frontier, and to spread disorder, and war, and bloodshed through Germany and the Continent. That was the snare laid for their frivolity and profligacy by the noble Lord; and, when he did so, he calculated well upon the genius of the public men of France. They fell into that snare. The results were frenzy in France, disgust here, exasperation in Germany, and the enfeeblement of all for the profit of Russia. This was in 1840. In the following year, however, with a meanness not excused by the evidently sincere desire which induced it, —the desire of renewing the English alliance,—and under the belief that they would gratify the English Government by adopting the course which that Government had already taken up—they agreed to accede to the hated Treaty of Unkiar Skelessi, and to the not less hateful Treaty of the 15th of July, 1840; and thus to imitate England in becoming parties to the acts, which had placed their enemy, Russia, in her position of ascendancy at Constantinople. Accordingly almost the very last act of the noble Lord before quitting office in 1841 was to receive the signature of France to the Treaty of June, 1841—a treaty by which that of Unkiar Skelessi,—signed in 1833, and limited to eight years, and which consequently was then about to expire, or at least could not have lasted a year—was renewed and made perpetual.

I understate the case. Much more than the Treaty of Unkiar Skelessi was comprised in the Treaty of June, 1841. By the latter treaty the Porte, in all times coming, upon whatever provocation or necessity, is bound to refuse to admit into the Dardanelles a single man-of-war belonging to a single friendly Power, so long as the Porte is not in a state of actual warfare. Now, it is not on the side of the Dardanelles that any danger of invasion is to be apprehended by the Porte. But on the side of the Bosphorus there is a permanent and lasting cause for such an apprehension. The object of solicitude to all the statesmen of Europe, except the noble Lord, is the invasion of the Bosphorus from the Russian provinces in the Black Sea. But, under this Treaty of 1841, it is not until war between Russia and the Porte shall have actually begun,—that is to say, until the Russians are actually in occupation of Constantinople, and behind the impregnable defences of the Dardanelles,—that the Government of the Sultan has a right to grant, —and France, England, Austria, or Prussia—if, indeed, Prussia dares to entertain an independent inclination—has the right, with or without the consent of the Sultan, to send,—one single man-of-war to the assistance of the Sultan.

VISCOUNT PALMERSTON: That applies to both Straits.

MR. ANSTEY: The noble Lord says that the Treaty of June, 1841, applies to both Straits; to the Bosphorus as well as to the Dardanelles. The fallacy of his position is so transparent, that I scarcely require to point it out. The noble Lord cannot contradict so notorious a fact as that which I am about to state. Indeed it has been stated by himself in his own publication, the "Portfolio." According to a very elaborate and accurate paper there, to which I refer the House, the strength of the Bosphorus is nothing,—for the purpose of repelling an invasion on the side of the Black Sea. But the strength of the Dardanelles,— in resisting an invasion from the Mediterranean side,—is everything. Yet, with the knowledge of these facts before him, and under the pretence of reciprocity—a pretence which, I think, will not find much favour in this House,—the noble Lord now says,— "The allies of the Sultan are to be excluded from the Dardanelles, because the enemy of the Sultan undertakes to be excluded from the Bosphorus; in either case, however, only until war is actually raging!" Why, Sir, in time of war as in time of peace the passage of the Dardanelles is impracticable! In time of war, as in time of peace, the passage of the Bosphorus is always practicable, with or without the consent of the Sultan. Moreover, in the meantime,—and before the question of war or peace is openly raised on either side,— you have the Russians present at Constantinople, and now made, by your policy ascendant there. You have them coercing the Porte to pursue the measures which they dictate, and which come direct from St. Petersburgh. You have left yourselves nothing whatever there, that can assure or encourage the Porte, that, in giving her refusal to the adoption of those measures, she may rely on finding at the proper hour the protection of England, against the consequences. That was, indeed, the very object of the treaty. It was designed to paralyse the Porte. It was framed for the purpose of making it indispensable for the Sultan to accept whatever policy the Russian Czar might choose to impose upon

him. Russia alone is here planning and executing her anterior combinations, and guiding herself by no suggestions but her own, whether she shall take possession of Constantinople now, or defer the consummation yet a little longer. Sir, there is but one way by which this great calamity can be averted. It is by repudiating the act of the noble Lord. But those who repudiate must punish. That, Sir, is why, moved by their own criminal weakness, the Cabinet, which succeeded that of which the noble Lord was a Member, neglected to disown the treasonable policy of the noble Lord, and to set aside the treaties which are its monuments—the Treaty of Adrianople, which he adopted—the Treaty of Unkiar Skelessi, to which he adhered—and, more shameful still, the Treaties of 1840 and 1841, which he made.

But, Sir, did the French alliance gain anything, by this mean condescension of the French Minister? No, Sir. The cordial understanding was gone for ever, after the events of July, 1840. I recall here an incident narrated by a gentleman whom I will name;—for his authority for the statement has been cited in a printed document in 1841, with his full knowledge, and without the least protest or disapprobation on his part, and was never protested against. I refer to Mr. Porter of the Board of Trade. He was the gentleman who, in 1840, negotiated, with so much success, the treaty of commerce with France. Mr. Porter, then of the Board of Trade, has been lately promoted to a higher office. I presume, therefore, that he enjoys the confidence of the Colleagues of the noble Lord. Now, on this gentleman's being selected in 1840,—before the Treaty of July,—by the then Colleagues of the noble Lord, in consequence of his connexion with the Board of Trade, to negotiate a treaty of commerce with France, Mr. Porter informed those Ministers that he was confident that, whatever treaty he might negotiate for such a purpose, would be interfered with by the noble Lord,—and either brought to nothing, or, as in the case of the Turkish treaty, perverted to the ruin of its objects. Mr. Porter, therefore, demanded and obtained this condition from the then Ministry — that the treaty should be kept out of the Foreign Office; and that he should not be called upon to report to, or to receive any instructions whatever from, the noble Lord, or his department, in the conduct of that negotiation. On the faith of that condition alone he undertook the mission. It is further stated, on the same gentleman's authority, and in the same document, that he brought the matter to a happy conclusion—that the French Government were quite ready to adopt, sign, and ratify the treaty which he had framed—that they were most willing to adopt it—that it was based upon the most perfect system of free trade and reciprocity—and that in spite of the precautions he had taken, and the conditions he had exacted, that treaty was at length set aside by the noble Lord. There is no doubt that the direct act of the noble Lord occasioned its failure. An insulting despatch on the subject was addressed by the noble Lord to the French Minister, which occasioned the utter shipwreck of that treaty; and all chance of renewing the negotiations with respect to it was in consequence of that event, as well as of those of July, 1840, made for ever afterwards impracticable.

Sir, I state this on the authority of Mr. Porter, and I refer to the fact of his recent appointment, as showing, that notwithstanding that declaration was made in 1841, the noble Lord has not induced his Colleagues to disgrace that gentleman.

I revert to the more important question of our relations with France. Has our alliance with France regained by the Treaty of 1841 any portion of that vigour which it lost in 1840? I answer that it has not. In July, 1841, that is, a few days after the treaty was signed, the noble Lord, for the purpose of inflaming the English mind against the French alliance, went down to Tiverton, and there, in the presence of his constituents, delivered that speech which is now so celebrated under the name of the Tiverton Speech. It was a most successful speech. Years have passed away, but the excitement it produced on the fevered minds of Frenchmen, has not yet had time to cool. That, Sir, was the legacy which he left to his successors in office.

What has the noble Lord done in the prosecution of the same objects since he last came into office? I omitted to notice the annexation of Cracow by the Austrian Government. I did so designedly, that I might allude to it here, in its proper place; for, Sir, it has a most intimate connexion with the question of the Spanish marriages. The only question that was pending, when the noble Lord came into office, which could by any possibility have affected our amicable relations with France, was the then unsettled question of the Spanish mar-

riages. Here, again, Lord Aberdeen, once more his predecessor, had left him a very easy task to perform. He had merely to maintain the wise and pacific policy of Lord Aberdeen; which pursued would have resulted in a happy termination. Had he done so, we should not now find ourselves in the position, in which the policy, preferred by the noble Lord, and substituted for that of Lord Aberdeen, has placed us. An engagement had been made between M. Guizot and Lord Aberdeen on that delicate question. It was that, if the one country did not start a Cobourg Prince, as a candidate for the hand of the Queen of Spain, the other should not start a French Prince. The noble Lord, on coming into office, was asked by M. Guizot—to whom the noble Lord's former career certainly furnished just cause of suspicion—whether he acceded to that arrangement? An immediate answer was evidently required; and therefore a whole month was suffered by the noble Lord—ever true to his policy—to pass, without any reply being vouchsafed to M. Guizot's inquiry. In the mean time, occasion was taken to represent, as it were favourably, the hypothetical case of some Cobourg Prince being put forward. Alarmed at finding in the diplomatic correspondence of the noble Lord, the ominous allusion,—and still judging him by his antecedents,—the French Minister saw this with astonishment; and fearing that another deception was about to be practised upon him, the French Minister hastened his own measures. The negotiations for the marriages of the Queen of Spain and her sister were urged, and with success, by the French Government. Both marriages took place. I am not here to defend them. Least of all, can I defend that marriage of the Queen of Spain—that marriage ever to be deplored—as well because of the unjustifiable manner, in which it was forced upon that Princess, by the King of the French, the Queen Mother of Spain, and the unfortunate M. de Bresson, as because of the awful consequences—consequences which have, I fear, only now begun to appear. But, Sir, I charge this as so much additional guilt upon the head of the noble Lord. I say, that it was intended, either in this, or in some other way, to make the Spanish marriages the occasion of difference with France.

No sooner was this end attained, than the preconcerted purpose of the three Northern Powers—concerted years previously, but kept back as long as Lord Aberdeen was at the Foreign Office—of annexing Cracow to Austria, took place. Austria was compelled to accept Cracow at the hands of Russia, as the price or pledge of her co-operation with Russia in her general policy. The moment that this new outrage was perpetrated, the French Government, still anxious to make a last appeal to the honour and justice of the English Government, applied to Lord Normanby for co-operation to resent it. It appears that that nobleman was already fully prepared and instructed by the noble Lord opposite. The French Minister inquired of Lord Normanby, whether England would combine with France in a joint protest against the annexation of Cracow? What was the answer of Lord Normanby? It was prompt and decisive. He informed M. Guizot that the outrage, of which Austria had been guilty in annexing Cracow, was not greater than that of which France had been guilty, in effecting a marriage between the Duc de Montpensier and the Spanish Infanta. Both acts, he said, had been done in violation of treaties—the annexation of Cracow was a violation of the Treaty of Vienna—the Spanish marriage was a violation of the Treaty of Utrecht. His Lordship, therefore, declined to join France in the contemplated protest. In justification of this course, both Lord Normanby and the noble Lord pretended that there was no obligation upon the two Powers to protest conjointly, but that they might satisfy the obligation which there was upon them to protest by protesting separately.

Now, Sir, this is another and a most material circumstance, to which I must call the attention of the House; for the noble Lord had stated precisely the contrary in 1836. Then he informed the House, in justification of his long apathy with respect to Poland and Cracow, that though Great Britain was called upon to protest, she was not called upon to protest separately—nor at all, except conjointly with France—thus leaving it to be inferred that the difficulty was rather with France than with the British Foreign Office. In 1846, however, ten years afterwards, the noble Lord says, that Great Britain was indeed bound to protest; but that she was at perfect liberty to protest, either separately or conjointly with France; and that in the one case, as in the other case, her protest was equally available. For the purposes of the noble Lord, I have no doubt it has been so. But I deny, that

for those of the Treaty of Vienna, the separate protest of the noble Lord could have had the effect of the joint protest, or indeed any useful effect whatever. But, in point of fact, the noble Lord never did protest. I have read the document which he calls by that name, and which he says he laid before the Three Powers. I deny that it was a protest. I invite him to show me in what respect it answers to the definition of that term.

On the other hand, was the marriage of the Duc de Montpensier a violation of the Treaty of Utrecht? Or, what is more material—because the noble Lord might have been deceived as to the construction of that treaty, and he might have honestly believed that the marriage came within its terms—was the Treaty of Utrecht in existence? Did the noble Lord believe that it was still in existence?

Sir, the Treaty of Utrecht was renewed for the last time in 1782. It was again abrogated by the breaking out of the revolutionary war in 1792; it was not renewed at Campo Formio, Lunéville, nor Amiens; it was not renewed by the Treaties of Paris and Vienna. There is no doubt, therefore, that that treaty has ever since 1792 ceased to be in existence. What is more, I have here a speech made in this House on the 19th of March, 1839, by the noble Lord the Secretary of State for Foreign Affairs,—upon the occasion of the Motion of Lord Sandon, the present Earl of Harrowby, for papers in reference to the blockades of Mexico and Buenos Ayres. In that speech the noble Lord says, that "the provisions of the Treaty of Utrecht have long lapsed in the variations of war;" and he specifies only one exception, that of a clause of the Treaty of Utrecht, which relates to the boundaries of Brazilian and French Guiana, because the noble Lord says, and says truly, that that clause had been by express words incorporated into the Treaty of Vienna. The noble Lord, on that occasion, stated the case correctly;—because it was necessary to his purpose; that purpose being as usual the non-production of documents. But, in the case of the French and Spanish marriages, where his object was to establish a ground of discord with France, he takes his stand upon the contrary ground, and audaciously makes the assumption of that treaty being then actually in force; and on that assumption he grounds his charge against France, of a very gross violation of that treaty—an assumption and a charge which I have now shown to have been, to the noble Lord's own knowledge, utterly false. [Mr. SHEIL: Order, order!]

I appeal from the right hon. Gentleman to the decision of the Chair. I have made this charge deliberately. I make use of these expressions, not by way of invective, but by way of charge; and, if I am wrong in doing so, I shall submit myself entirely to the judgment of the Chair. But, before I receive that decision, I wish the House to understand, how difficult a thing it is to have to make charges, and yet not to be able to use language adequate to their import.

MR. SPEAKER: The hon. and learned Gentleman cannot, on a Motion like this, make use of language such as he has just now used, without irregularity. He cannot make charges upon the occasion of a simple preliminary Motion for the production of papers. To entitle himself to make them, he must give notice of a Motion of a much graver character against the noble Lord; and then he will be justified in using those expressions.

MR. ANSTEY: The reason, Sir, why I have commenced with a mere Motion for papers is this—I was apprehensive of being overthrown on a point of form. I therefore consulted precedents; and I have invariably found that a Member, who rises in his place to make a charge without calling for papers, is obliged to lay his charges in writing upon the table of the House, and then, and not till then, the House will consider the question whether those papers shall be granted or not. I found that it was impossible to do so in many of these cases, without seeing the papers themselves. On the other hand, I have been able to make a statement sufficiently general to justify me in calling for papers. I have found that there are precedents in favour of the course I have taken. If I am wrong, I am very sorry, and I shall take care not again to merit the censure of the Chair.

MR. SPEAKER: I understand the hon. and learned Member to withdraw his observation.

MR. ANSTEY: Certainly; I meant to do that when I submitted myself to the Chair.

Sir, the noble Lord the Member for the city of London (Lord John Russell) expressed a hope the other night, that friendly relations might still subsist between this country and the Court of France, and that peace should be preserved between this and all other countries. I confess that I

heard those words with feelings of deep alarm. I think the House was satisfied, from the hesitating way in which the noble Lord uttered them, that it was quite clear to his mind, that the country is still labouring from the effects of the hostility and bitterness, which the conduct of the noble Lord opposite (Lord Palmerston) has certainly created in the breasts of the people of France.

Sir, I wish the House would look well to these matters, when they come to consider the question of the defences. Let them say whether it is not more cheap—and better—and more honourable—to begin betimes, and here at home to prevent beforehand, rather than, when too late, to attempt abroad to extinguish violently, these sources of bitterness? Justice, Sir, and peace founded upon justice—for none other is or ought to be lasting—will be found a surer and a cheaper policy, than that which looks to the expenditure of large sums of money on what are called defences, but, after all, must be utterly useless and unserviceable when the whole world is arrayed against us. Let the noble Lord show me at this moment one part of the world in which we have an ally—one part of the world in which we have a right to rely on or to enforce treaty stipulations—one part of the world in which we are not called upon to pay the penalties which, sooner or later, must be paid by the violators of those laws, that are the life and strength of States. Compare the present state of things, with that which was when the noble Lord came to office. It is a mournful subject and a grave one; and it behoves the House to consider it with seriousness.

Sir, the decision which you have announced from the Chair places me under some embarrassment as to two other matters which it was my intention to have brought before the House. I scarcely know how, without infringing on that decision, I am to make myself intelligible in moving for papers with reference to them. I do not wish that any hon. Member should have cause to say that I insinuate what I have not the courage openly to charge. And yet I cannot venture upon making such charges, which, out of my respect to the decision of the Chair, I am bound to consider unseasonable. I will, however, mention to the House that, in the case of Persia and Affghanistan, it was my intention to have brought before the House these charges; that false statements had been made in Parliament, and garbled versions of State papers laid before it, calculated and intended to mislead the House, the nation, and the Crown, as to the effect of the measures intended or undertaken; that there had been collusion practised in the case of Persia uninterruptedly from the year 1834 to 1838, between the servants of Her Majesty and the servants of the Czar of Russia, for the purpose of destroying that wholesome and honourable ascendancy which the treaty signed by Sir Harford Jones Brydges in 1811 secured to us, and for the further purpose of placing the Court of Teheran under the exclusive control of the Russian Envoy; that similar measures, accompanied by others of a more aggravated description, had been put in practice in Affghanistan, for the purpose of withdrawing the minds of the people of that country from their attachment to the English alliance, and of arraying them against England—in alliance with Russia, always our enemy—with Persia, now forced by us into hostility—and with every other unfriendly Power in Central Asia, to whom it might appear safe or profitable to invade our territory or threaten our frontier. I say that it was my intention to have gone into these facts, and to have specified at length those measures of a more aggravated description to which I have adverted. Your decision, Sir, makes that impossible; and I will now state them to the House as vaguely as I can, and without saying whom I accuse. And, so far as the forms of the House do not prevent me, I say that forgeries—for it amounts to that—were committed for the purpose of misleading Parliament as to the intentions and dispositions of the princes and people of Affghanistan. I say, that from the papers which had been presented to Parliament, and upon which Parliament is called to judge, it appears that such suppressions have taken place, not only of whole paragraphs but of parts of sentences, nay, more, of words here and there selected with great care, so as to give to the documents thus dealt with an effect and purport, entirely different from that which was intended by the writers. This is particularly true with reference to the despatches of the late Sir Alexander Burnes; and I am in a condition to prove it by reference to the original drafts of his despatches. I have here, Sir, the written authority of the father of that lamented diplomatist, which I will read to the House. Mr. Burnes says—

"Should a Committee of the House be granted, I shall be most ready to lay such of the following documents as are in my possession before it.

"J. Burnes."

That, Sir, is a document which I received shortly before I introduced this case. I am in a condition then to prove that alterations such as I have described were made in his lamented son's papers. I will specify one or two instances.

Take this case. The Governor General of India, for example, or any other person you choose, writes to Sir Alexander Burnes, to suggest to him, that he is mistaken as to the intentions of the Affghan tribes—that instead of being friendly they are hostile—that he ought to take or not to take a given line of policy, &c., &c. What would the House think of an official extract from Burnes' reply, so framed as to suppress altogether what he really did reply, and to make it appear that the observations to which he is replying, and which he quotes from the letter so received, are his own, and not those of his correspondent? This, however, is precisely what has been done; and the effect has been that of leading Parliament to suppose, that it is Sir Alexander Burnes who speaks from Cabul, and not his superior officer speaking from Calcutta or Simlah. I feel that I am embarrassing the statement, which I must sooner or later make upon this subject, by going prematurely into the details. But, in order to illustrate my meaning, I will just read one passage amongst a multitude of such. Sir Alexander Burnes writes from Cabul on the 26th of January, 1838, to Sir William M'Naghten, the Secretary of the Governor General. I will read what he says. I will read the sentence as he actually wrote it; not the sentence as prepared in Downing-street for the eye of Parliament:—

"Sir—I have now the honour to acknowledge the receipt of your letters of the 25th of November and 2nd of December last, which reached me about the same time, and conveyed to me the views of the right hon. the Governor General regarding the overtures made by Dost Mahomed Khan for adjusting his differences with the Sikhs, and the apprehension that the Maharajah would not be disposed to surrender Peshawur on those terms, but be more likely to restore it to Sultan Mahomed Khan, its former governor. I lost no time in making known these circumstances as well as the sentiments of his Lordship on them, and the policy which it would be advisable for the ruler of Cabul to pursue."

If I could do so without a violation of order, I should here proceed to make a direct charge of falsification against the noble Lord and others with reference to this document;—for I have to tell the House, that in a minor degree, and with reference to some of the passages in the noble Lord's policy, my charges affect not him alone, but also Lord Ponsonby, Lord Auckland, and Sir John Cam Hobhouse, quite as much as the noble Lord or any other of his accomplices. The House will remember also that the notice of Motion, as framed, prays Her Majesty to communicate to the House "the names of the Councillors or Ministers, who advised Her Majesty in respect to these transactions." It is right that the laws of England should be known and respected. It is well for us to bear this in mind, that, if any noble Lord—any hon. or right hon. person—has had any part as accomplices in these transactions, the judgment of the law will fall as heavily upon his neck as upon that of the noble Lord opposite. In preparing these despatches for Parliament, the passage that I have read to the House was falsified by the Administration of the day—the Whig Administration—of which Lord Melbourne was then the head. The opening words, "I have now the honour to acknowledge the receipt of your letters," &c. down to "Governor General," were left out. The initial letter of the next word "regarding" was turned into a capital. The sentence therefore began thus:—

"Regarding the overtures made by Dost Mahomed Khan for adjusting his differences with the Sikhs, and the apprehension that the Maharajah would not be disposed to surrender Peshawur on those terms, I lost no time in making known these circumstances and the policy which it would be advisable for the rulers of Cabul to pursue:"

having again left out in the middle of the last clause of the sentence the important words "as well as the sentiments of his Lordship upon them," which ought to have preceded the words "and the policy," &c. The case then is this: It appeared, that throughout the whole of this correspondence, Sir Alexander Burnes, like a man of honour, and a patriot, had been doing his best to induce the Governor General of India not to follow the depraved counsels of the Foreign Office—not to plunge the country, by acts done in direct violation at once of the law of this country, and of the law of nations, into a piratical enterprise against the interests and happiness of the faithful tribes of Affghans, the friends of England, and the enemies of Russia—above all, not to do so upon false pretexts and fraudulent professions. On the other hand, it appeared that Sir William M'Nagh-

ten, or rather his chief, Lord Auckland, had been doing his best to bring round Sir Alexander Burnes to the views entertained by the Foreign Office. It was not convenient that Parliament should come to the knowledge of these circumstances. It was convenient to attribute to Sir Alexander Burnes, an identity of opinion with Lord Auckland and the noble Lord opposite. Hence the falsifications.

There are a number of passages of the same kind. Sir Alexander Burnes himself, writing to his brother-in-law, Major Holland, now at Bombay, under date the 25th of August, 1839, says on this subject—

"The exposition of the Governor General's views in the Parliamentary Papers is pure trickery, and I have said so in every company since I have read them. I, however, acquit Lord Auckland of the fraud, and I am sometimes charitable enough to acquit the other authorities, and to believe that they had not read ere they printed. All my implorations to Government to act with promptitude and decision had reference to doing something when Dost Mahomed was king. And all this they have made to appear in support of Shah Shujah being set up."

I beg here again to refer to the written declaration which I have read from the father of that lamented public servant. Naturally jealous of the honour of his dead son, he is ready, on the opportunity being afforded him, to give up the papers, of which these are copies; and the originals of which are at this moment in the power of the noble Lord and the President of the Board of Control, and at the India House.

I will at present refer to only one or two other instances of documents, the extracted passages of which as prepared by the then Government for the perusal of this House, have been falsified. There is one where Sir Alexander Burnes mentions that he has heard such and such a report of Dost Mahomed's bad intentions; and then adds, that he has inquired into the circumstances, and finds that there is no truth in the report. Now the "extract" contains the report indeed, but it carefully leaves out the material words, "but I have inquired, and I do not think that it is true."

There is another document where the passage as mutilated by the Government represents Sir Alexander Burnes as stating, without qualification, that "an agent direct from Russia" had arrived at Cabul, and that he, Burnes, had received from his agent at Candahar a notification on the subject; and then, after communicating "this extraordinary piece of intelligence," suddenly breaks off. Now, Sir, if it had been true as thus insinuated, that Dost Mahomed had received such an agent, that would not warrant any jealousy on the part of England against Cabul. How could she complain of the Emir, for cultivating friendly relations with a Power so nearly allied to us? For observe, England at that very time was herself engaged in most friendly relations and negotiations with the Emperor of Russia, and that, too, for the settlement of the affairs of the East, both in Turkey and Persia. But the insinuation was not true. As stated here, in the papers laid before Parliament, it would appear that the Emir had himself received "an agent from Russia"—not "from the Emperor of Russia." By the way, perhaps, the noble Lord can explain why the words, "the Emperor of" are left out. Hence Parliament could not help suspecting the worst of purposes to exist in the mind of Dost Mahomed Khan against British empire in the East—that Russia was cultivating his hostility against us—and in short that there was a perfect willingness on both sides that the negotiations thus commenced should proceed, and the results carried into execution. But, Sir, if Parliament had had the opportunity of reading the whole of the despatch, the very contrary would have been the impression produced as to that Emir's dispositions and intentions, whether as respected England or Russia. The paragraphs which immediately follow the extracted passage, inform Sir William M'Naghten and Lord Auckland that the first person who communicated to him (Sir Alexander Burnes) the fact of the approach towards Cabul of this "agent direct from the Emperor Russia" (for the words "Emperor of" were written by Burnes, although omitted in the printed extract), was Dost Mahomed himself! It states that the Emir was so anxious and alarmed at the tidings of the agent's approach towards the city, that he had come over in person "early in the morning," on hearing of it, to his (Burnes's) quarters, imploring British protection and craving advice. He says, too, that the Emir wanted to arrest, and turn back, or otherwise dispose of the agent, as Burnes should direct, before he got to Cabul at all. And then the reception of this agent took place only in obedience to the wishes of Sir Alexander Burnes him-

self, strongly expressed to the Emir. He concludes by informing the Governor General, that the Emir had most readily "undertaken" to make a full disclosure to the British Government, of the errand on which that "individual had come;" and that accordingly he had put him in possession of a Russian despatch, of which the agent was the bearer.

Now, Sir, the whole of these important paragraphs are left out. The only passage which was laid before the House of Commons, and the people of England is—

"I have the honour to report, for the information of the right hon. the Governor General of India, in Council, the very extraordinary piece of intelligence of the arrival at this city yesterday, of an agent direct from Russia. On the 11th instant, I received a notification of his approach from my correspondent at Candahar, in the terms reported in the annexed letter, No. 1; and, on the 13th instant, the Emir received information conveyed in the enclosure, No. 2; a circumstance of so unusual a nature prevented my sending off an express to you till I could be better informed."

The next four paragraphs, which are by far the most material part of the despatch, were entirely suppressed.

It is not by accident that frauds like these can have been committed. Sir, I think it eminently disgraceful to the character of the British nation,—and let me add of this House, too,—that the charge should have ever been made, and should have then been suffered for so many years to remain without investigation. It has been pending ever since 1841; and yet no efforts have been made to vindicate the dignity of the law and the honour of the country. No prosecution has been instituted to punish—if not the noble Lord and those who did the deed—then, at least, those insolent libellors who had ventured to accuse them of it. For that accusation was boldly and openly made; and it denounced with adequate strength of language the conduct of the noble Lord and all the other parties implicated in these base and infamous transactions. I do not hesitate to maintain, that every one of those unhappy persons who have, at any time since 1841, been transported from England to the shores of the south Pacific, for forgeries or crimes of the nature of forgery, has the right to say that he has been most unjustly dealt with; when he sees that perpetrators of iniquities, similar in kind but far more monstrous in character, have been suffered to remain so long unscathed and unquestioned; nay, and to approach the person of Her Majesty, and to sit in Her Councils, and to lead the deliberations of Parliament. I offer myself to the justice of the country and to the heavy censure of this House, for the language which I have used, if, having brought this charge, I fail, upon opportunity being afforded me, to support it to the conviction of the accused. But now I labour under the conflict of divided duty. On one hand, I have the sense of that duty which I owe to you, Sir, as the guardian of the grave decorum of this House. On the other hand, I perceive that duty which I owe not so much to myself as to my country and its laws. I wish to satisfy that duty, but I feel myself utterly at a loss how to proceed, on account of the decision which has been given from the Chair. I will, however, do my best; and I will, therefore—avoiding, as far as possible, the phraseology appropriate to accusation—proceed with my statement of the noble Lord's policy with respect to Persia and Affghanistan.

For the truth of that statement I refer to the State Papers—such papers, I mean, as the Government has thought it prudent to present to this House. In 1811 we bound ourselves, by the Treaty of Teheran—the treaty negotiated with Persia by Sir Harford Jones Brydges—to maintain Persia on her then footing of independence against Russia and against the world. On the faith of that assurance, Persia on her side stipulated—and, let me add, to that stipulation she most faithfully adhered—that she would not enter into any relations with European Powers, or with any Power whatsoever, to the detriment or prejudice of our Indian empire. The stipulations of that treaty were faithfully kept by Persia. Under the administration of the noble Lord, they had been shamefully violated by England. At the time when the noble Lord came into office, the Russians were justly and universally detested in Persia, insomuch that they were almost unable to find a footing for their consuls or agents in any part of Persia. In Hamadan, for instance, permission to reside was secured to them only upon the application and remonstrance of the British envoy. So complete was the British ascendancy in Persia—so complete the distrust and suspicion of Russian designs. Nevertheless, the noble Lord, almost immediately on coming into office, in 1830, made it his business to establish Russian influence in the Persian councils, and to use for that end the whole influence which Great Britain then enjoyed there by rea-

son of her ancient enmity to Russia. I will not here repeat the statement I have made of the mode in which the noble Lord used his influence in 1831, and by what menaces he prevented her from performing her duties towards Poland, and enforcing her own rights against Russia. But I will content myself with saying, that on that occasion the noble Lord laid the first ground for the establishment of a Russian ascendancy at Teheran on the ruins of the ancient reputation of the British alliance.

The immediate result of that intervention was, to disgust the mind of Abbas Mirza, the Crown Prince, whose march we had intercepted, and to dispose him and his house to look less unfavourably towards their former enemy, Russia, than towards Great Britain, their unfaithful ally. On the death of the Crown Prince, indeed, his eldest son was already known to be a Russian agent, or at least deeply imbued with Russian sympathies. He had learned by the experience of his father how dangerous it was to resist Russia. So long as the Treaty of Teheran was in force, and English ascendancy was paramount, there was no hope for Persia. England and Russia were now of one mind. What hope, then, was there of English protection against Russian bayonets? Accordingly, this young prince, then Governor of Azerbijan, a province bordering on the Russian territory, had already betrayed a wish to exchange the English for the Russian alliance, when suddenly his father, the Crown Prince of Persia, died.

The moment was seized by the Russians. They proposed to the noble Lord measures for securing Persia to the Russian interest. They proposed with the help of the noble Lord—for without his help it could not be done—the setting aside of the next heir to the Crown of Persia; who, according to the usage of that country, was the eldest surviving son of the reigning Shah, that is to say, the younger brother of the deceased Crown Prince—the setting aside of that heir in favour of the Shah's grandson—that son of the Crown Prince, and Governor of Azerbijan, to whose Russian partialities I have already adverted. We have had no official information about this dark intrigue laid before Parliament. We have only the fact recorded that it began and that it ended. But, it appears, that during the whole of those negotiations, correspondence of a very important character passed. I find this express reference made to it in one of the despatches. Mr. Ellis, our Minister at Teheran—the same gentleman who has been lately raised by the noble Lord to new honours—is informed by that despatch that Her Majesty's Ministers, after receiving the information which he had sent from Persia, were satisfied of the fitness of setting aside the next heir in favour of the eldest son of the deceased Shah Zadeh, or Crown Prince. Not a shred of that information was ever given to Parliament; nor did Parliament, except through the medium of this vague allusion to it, ever receive a single hint of its existence. The whole of this negotiation with Russia was a crime. It was carried in direct violation of the Treaty of Teheran, which, in 1811, Sir Harford Jones Brydges had concluded with Persia. It was a secret transaction, for Persia was no party to it. It was carried on with the only enemy she had to dread, and the only one against whom the Treaty of Teheran was in fact projected. It deeply compromised the honour and independence of Persia, for the purpose of giving to that Power a direct voice in the alteration and new arrangement of the succession to the Persian monarchy. This it was which made the venerable diplomatist whom I have just named ask pardon publicly in 1843, of his God and his country for having negotiated that Treaty of Teheran—a treaty which was once his pride and glory, but which in its violation had now become to him a source of humiliation and disgrace.

Sir, the published correspondence is resumed at the period of the Shah's death. Then it drops again, so as to exclude the whole of the events which followed; down to the time when, aided by British forces, the Russian nominee was enabled to vanquish and put to death his competitor, the lawful heir, and place himself on the Throne of Persia. From that time we have more or less of information as to the events at the Court of Teheran. This was in the year 1834. The subsequent history is briefly this. The noble Lord opposite made it his system to leave our Envoys there (Mr. Ellis first, and afterwards Sir John M'Neill) entirely without instructions; or so to instruct them as to leave them entirely unprovided to meet every foreseen or unforeseen emergency. They had moreover one standing direction given them, which was this—that they were in all cases to act in conjunction with the Russian Envoy. If they did that, they had the widest discretion, but, without that, they had no dis-

cretion at all. Despatch after despatch—sometimes as many as twenty consecutive despatches—were received in Downing-street from these Envoys, beseeching information and advice, and the necessary powers to proceed. But the answer of the noble Lord—when it comes—is invariably, "I approve of what you have done, and I shall wait for further information from you before I send you further instructions!" In the mean time, they are directed by him to continue to act upon the instructions already received. But those were that they must act in conjunction with the Russian legation; that is, concur in the measures which Russia might think fit to take. Now, let the House bear in mind, that down to the accession of the new Shah, Russia had no position at all in Persia. On the other hand, Great Britain was then in the enjoyment not only of ascendancy but almost of a supremacy over the Persian councils. So long as that state of things lasted, so long our Indian frontier was safe and strong. Our connexions with the tribes of Central Asia were not then likely to be disturbed; for there was then but one Power in Persia that had the influence which could disturb them, and of that Power we had the entire confidence. The wholesome influence which we thus might exercise over Persia and the interjacent tribes, it was the business of Russia to destroy. Accordingly (I am obliged to confine myself to these generalities, on account of the decision of the Chair), the Envoys who, at the Court of Teheran, represented England, were instructed upon all occasions to concur with the Envoys of Russia in their measures—those measures having for their object the ascendancy of Russia in that country, and the destruction of British influence.

Sir, the new position of affairs, therefore, was this—It appeared to Persia, that Russia alone was active; and that England meanwhile was inactive, except to concur with Russia; therefore, and because England and Russia seemed to be now one Power, it behoved Persia to secure a favourable position with Russia alone. It was neither necessary nor easy for her to secure one with England; for England had become unwilling to protect and ready to abandon those who, to serve her, had exposed themselves to the vengeance of her Russian ally. In Central Asia it is said to this day, that Russia and England are united on the terms of sovereignty and vassalage. It is the Czar of Russia that is said to be the Suzerain. It is the Queen of Great Britain that is said to be the vassal.

I do not wonder at it. The whole of the noble Lord's policy was conducted upon that principle. We have seen the Russian Envoy, Count Simonich, actually advising and heading an expedition of the Persian army against Herat, with the avowed object of making that the first step towards the conquest of Candahar, of Cabul, and finally of Delhi itself. This was all communicated to the noble Lord, but he did nothing. He turned a deaf ear to the earnest and frequent entreaties of Mr. Ellis and Sir John M'Neill, for instructions to lodge with the Shah a protest against the expedition. It was not until the expedition had been despatched to Herat, and after the army had lain there and pressed the siege for many months, and at last having sustained many reverses was finally obliged to retire from before its walls with loss and disgrace—that Sir John M'Neill received from the noble Lord—confident probably that Herat had fallen, and that the further advance of the Persian force and its consequence, a rupture with England, were now inevitable—the so much solicited instructions, authorising him to interpose a protest in the name of England against the expedition. The date of these instructions is July 27, 1838. The first intimation to the noble Lord of the design to attack Herat, was conveyed in Mr. Ellis's despatch of the 13th November, 1835. I charge that of all this the necessary effect was, to encourage the Persians in the belief, that in undertaking this expedition against Herat for the aggrandisement of their own territory, they were consulting the views of the Emperor of Russia, and yet were doing that which was by no means offensive to England, but the very reverse. It was not until all this was done, and the first hostile step had been committed by Persia in her new designs against England's Eastern Empire, that the noble Lord sent instructions to the British Minister to withdraw from Teheran.

Yet shortly before this, we have Lord Auckland sending instructions from Calcutta to Bombay, for the despatch of an Anglo-Indian force to take possession of the Island of Karrack in the Persian Gulf, in order, as he says, to assist Sir John M'Neill's negotiations at Teheran. Intelligence of the sailing of that force being received in England, a question is asked in this House with respect to the intended occupation of that island. What does the House think

was the answer made by Sir John Cam Hobhouse, then President of the Board of Control? It was an answer, such as I will not characterise as it deserves, because it will now be irregular to do so; and therefore I will leave it to this House to censure it. I quote from the *Mirror of Parliament*, for the 24th of July 1838. The answer of Sir John Cam Hobhouse was—

"The East India Company have a resident at Bushire, and a resident at Bagdad, and an important experiment has lately been tried, in order to ascertain whether the navigation of the Euphrates is practicable. Our commercial relations with that part of the world have become much more extensive than formerly. It is in consequence of the political state of Central Asia that the Governor General has thought it requisite for the protection of British interests to send that expedition."

And yet, Sir, at this very moment, he had before him that Governor General's own despatch, in which he says, that it was in consequence of a communication addressed to the noble Lord opposite by Sir John M'Neill, and in order to support Sir John M'Neill's negotiations at Teheran, that he (Lord Auckland) had ordered that hostile expedition to be sent. That despatch has been printed and laid before Parliament.

Sir, the decision of the Chair places me in the position of being unable now to characterise those acts. I know how I shall characterise them when the proper time comes. I say this now, for the purpose of protecting myself once more from the charge, which some may bring against me, of insinuating that which I dare not openly avow. I may, however, be permitted to say thus much, that—because to Parliament false and garbled information has been given with respect to these transactions—far from being bound by any decision which Parliament may have heretofore given in their favour, that very fact entitles me now to demand of Parliament a rigid scrutiny into those transactions.

That, Sir, is the case of Persia.

Now Sir, the case of Affghanistan is shortly this. The object which Russia and her agents, avowed or unavowed, sought there to accomplish was the establishment of a permanent hostility to England in the minds of a people heretofore her best friends. It was to convert the whole of Central Asia into a camp of foes against her. It was to do all this not by the act of Russia or at her expense, but by the act and at the expense of England herself. Surely no one will pretend that this was possible under any circumstances, except upon the assumption that Russia was represented in the English Cabinet.

It is now manifest to the world that our military operations against Affghanistan—operations which were begun without declaration of war, and in a piratical manner, and in violation of the laws of India, of England, and of nations—that those operations did not originate with the Indian Government. They were not, they could not, have been authorised by the Governor General of India. I say this for two reasons: first, because Lord Auckland had no power given him by law to commence a foreign war of that kind; and, secondly, because the objects which those operations were intended to promote did not relate to India at all, but to Persia and to Europe. They belonged to the same department with the negotiations which Sir John M'Neill was then carrying on at Teheran. At the same time, the noble Lord opposite, and his noble Colleague the Member for the city of London (Lord John Russell), and indeed all the men forming the then Administration, and as such exercising supreme control over affairs, not only in England but in India—all these persons were and are responsible for that so-called war. They, and not the East India Company, were and are responsible. That war emanated from them, and not from the East India Company. I believe that I do not mis-state the case when I say that the burden of the expense of the war was shared by the people of this country, at least as much as by the people of British India. At any rate, Sir, this was a war made by the orders of the Foreign Office, and for which the noble Lord is on that account responsible. Whether he is or is not personally guilty, I shall not now say; but I do say, that inasmuch as the forgeries which I have specified were committed—inasmuch as those atrocious mutilations and falsifications of public documents did take place—inasmuch as Parliament was deceived in this manner—and inasmuch as those who did the wrong acted under the direct sanction and control of the noble Lord—that for all these crimes the noble Lord himself is responsible to the country and the House. For the present, Sir, that shall be the extent of my statement with respect to Persia and Affghanistan.

Sir, at this hour, and under the difficulties imposed upon me by the decision of the Chair, I shall not follow out the subjects upon which I had proposed to enlarge. I will simply say this with respect to Ame-

rica. We have, by the direct agency of the Foreign Office, Mexico and Texas involved in a war with the United States, for the purpose of adding to the United States one slaveholding State the more, and of thereby disposing the whole of that Union to co-operate in the designs meditated by the Northern States against British America, so as to adjust the balance between the north and the south. We have the measures for those ends concerted by the noble Lord. At one and the same time we have the noble Lord submitting, with the most perfect complacency, to the measures of the slave States in the south, and of the free States in the north—of these against Canada, of those against Texas. We have him sacrificing the rights and forfeiting the obligations of England towards Mexico, in order to forward the usurpation by the United States of Texas. We have him recognising the independence of Texas, and permitting there the establishment of slavery, at the same time that he was pretending to put it down, by rapine, and by bloodshed, and by wrong, in every other part of the world. To accomplish that Texan independence, and that introduction of slavery there, we have him sacrificing, in Texas, the rights acquired over its territory by British bondholders, to the extent of ten millions sterling. We have him, in 1839, cancelling, without their consent and against their protest, the lien of those bondholders, and this for the purpose of creating a new slaveholding State at the expense of our Mexican ally, and with the ulterior view of enabling the American Union to annex it.

We have the noble Lord breaking up the settlement of the Boundary Question in the northern extremity of America, which had been settled by the award of the King of Holland—which, I say, had been settled irrevocably and definitively by that award, in such sort that it did not depend upon the noble Lord, or upon any other Minister, to disturb it. We have him giving every encouragement to the Americans to proceed to violation of that award, and of their subsisting treaty stipulations. We have him, when the convenient time had arrived, when the insolence of the Americans was at its height—we have the noble Lord, on his side, withdrawing from the award altogether, and informing the American Government that he concurred with them in thinking, that whether as against England, or as against the United States, the award was of no effect. I say that I charge upon the noble Lord all these matters, and all the consequences that followed, all the aggressions, all the outrages upon British territory which have taken place, and have never been chastised, but for attempting to chastise which English governors have been censured and threatened by the noble Lord, and base apologies made to the American Government. I charge upon the noble Lord the events of 1840 and 1841, and more particularly the disgraceful prosecution and acquittal (for disgraceful as was the prosecution, the acquittal was more disgraceful still) of that Alexander M'Leod, in whose person the Crown itself—the Queen herself—was made to abide a trial for felonies, before a jury of citizens of the United States, and only discharged from condemnation and punishment through the evasion of an alibi—a defence which must have called blushes into the face of those who framed it, but was perhaps inevitable, under circumstances, such as abandonment and betrayal had produced.

In 1842, the Treaty of Washington put an end, for the time, to these boundary differences. That treaty was contracted and signed for the express purpose, not of doing justice between Great Britain and the United States, but of relieving Great Britain from all the complication of perplexities, superinduced by the acts of the noble Lord. I shall say no more upon that subject. I shall forbear from offering any censures of the conduct of Lord Ashburton and those who employed him in that negotiation. For, although I hold with our forefathers that war itself is preferable to a disgraceful peace, I am only too well aware that that is now become but an unpalatable doctrine, and that, in signing that treaty, and thereby averting or making more remote the probability of the war which the noble Lord seemed to have made inevitable, Lord Ashburton and the then Administration only consulted the opinions and prejudices of their countrymen at large.

Sir, with respect to the slave trade, I have only one or two more observations to make. I say, that the noble Lord has used the popular agitation for the suppression of the slave trade, in promoting a purpose not contemplated by the agitators of abolition. The noble Lord has used those measures for the purpose of disturbing the peace of the world, and ruining the moral ascendancy of Great Britain amongst other States. At the period when the

noble Lord came into power, there was not a State in the world that would not willingly have concurred with England in the measures necessary for putting down the slave trade. If faith had only been preserved with them, even the slavetrading States would have long since acquiesced in measures for suppressing the traffic. But the noble Lord, in his relations with all the slave States with whom we have had relations, has preferred to act upon those principles which should wound most the national pride, and least attain the pretended object. This is particularly true with regard to Portugal. The protest of the Duke of Wellington against his Bill of coercion against Portugal, is recorded in the Journals of Parliament. That State Paper may be admitted as authentic and authoritative evidence. For at that time it had the effect of inducing Parliament in its wisdom to throw out the atrocious measure, which the noble Lord projected, and nearly carried through Parliament, and of greatly mitigating the mischief of its successor, when that was allowed to pass.

Sir, I do not intend to enter into the details of these pretended treaties, with respect to the abolition of the slave trade. They all proceed, however, from one source. They proceed from the noble Lord—from him who has established the slave trade in its worst form in the territory of the Texas—from him who has thus disposed the means for that inevitable end, the future extension of the slave trade from Texas throughout Mexico, and from Mexico to every other State of Southern America. I say that the noble Lord never did sincerely intend the abolition of the slave trade; but rather the disturbance of the peace of the world, through the means pretended to be employed for that abolition. I point to the fact that, at this moment, there is no State in the world, however poor and weak, on which we are able to rely that it will exercise its option in our favour, and admit us by treaty to the free enjoyment of its commerce.

I do not now speak of a great Power like France. I am aware that with France all hope of a commercial treaty is now for ever lost. I am also aware that until Lord Aberdeen, by his famous letter of the 20th May, 1842, to his Colleagues in the Admiralty, and on the cited authority of the law officers of the Crown, annulled the instructions which the noble Lord left behind him on going out of office, and which though quoted there by their dates,—the 6th April, the 1st and 17th June, and the 28th July, 1841, — have never yet been laid before Parliament, the right of search and detention over French vessels on the west coast of Africa had been to the noble Lord an effectual instrument for increasing and stimulating that irritation and frenzy of the French mind against England, which his whole policy had provoked. I am also aware that, on several occasions since then, it has fallen to the lot of Lord Aberdeen, whilst Foreign Secretary, to direct compensation to be granted out of the public monies of the country, to French subjects claiming it, in respect of acts done, under the authority of those condemned instructions and to the detriment of their properties and persons. But, Sir, I will not insist on the example of a great Power like France.

I shall be satisfied if the noble Lord will point out one of the smaller commercial States affected by his measures for suppressing the slave trade, whose friendly understanding with this country those measures have failed to destroy. What, for instance, is the measure of influence enjoyed by Great Britain at this moment at the Court of Rio Janeiro? The empire of Brazil has been peculiarly visited with the noble Lord's slave-trade measures. It is true that their illegality has been demonstrated to the whole world, and has on more than one occasion been made the subject of censure and condemnation by our own courts of justice. It is true that in the instance specified in the notice I have given, the Judges sitting at Serjeants' Inn Hall, have solemnly determined that those measures have no force or vigour either by our municipal law or by the law of nations — that acts done under their authority are illegal and void, and instead of conferring rights, subject to penalties, — that the British captor of the Brazilian vessel is a wrong doer—and that for the Brazilian to slay him, albeit unawares, is not murder nor manslaughter, but an homicide which we have no right to revenge, much less to punish. But, Sir, it is also true, that with an audacity—only to be explained by a reference to the long impunity he has enjoyed — the noble Lord continues to press against Brazil and its people the measures which have received this solemn condemnation; and that in open defiance of the laws which proclaim the piracy of

the act, Brazilian ships continue under the noble Lord's authority, to be carried as prizes by our men-of-war into British ports, and there sold for the profit of the captors. Well then, Sir, shall I ask the noble Lord what is the estimation in which the Brazilians regard us? Can he tell me what is the state of our commercial relations with that empire? Is it not the fact that every application hitherto made by us for a renewal of the former commercial treaty with Brazil, or the adjustment of a new treaty of commerce, has been formally refused by that Government? Then to what is the interruption of all these friendly and useful relations owing? Upon whom does the charge rest of having produced it? I ask the House, after reviewing that statement of facts which I have endeavoured, however briefly and inadequately, to lay before them, to say whether the whole responsibility is not chargeable on the head of the noble Lord? I would almost put it to the noble Lord himself to say if he denies it.

In fine, Sir, there is not one part of the world in which—ever since the unhappy period of 1830, when the noble Lord assumed his present office, down to the present time, with a comparatively brief interval—this has not been the sum and substance of our foreign policy. Sir, it is an awful consideration. When Ministers speak to us of their responsibility, is that a shadow and a name? What is meant by the word? To whom are they to be made responsible? Are we to adopt the new doctrine of the right hon. Baronet the Member for Tamworth, who has said that he cannot comprehend what is meant by treason in a Minister? I am not surprised. I can perfectly understand that those who cannot comprehend what is perfidy in an associate, may fail to understand what is treason in a Minister. But I ask the House, whether the Ministerial responsibility is to be determined by other rules than those which govern the responsibility between man and man? and if so, by what rules shall we determine it? I trust in God, Sir, that not this doctrine but the wiser doctrine of our ancestors may be ever held in our remembrance. They held that for every act done, or omitted to be done, by a Minister, with the effect of detriment or prejudice to the interests and rights of the State,—whatever his motive, however righteous his intention, — that Minister was amenable in his person, and should endure for his misdemeanour the severe and inexorable sentence of the law.

It is in that view, Sir, that I have endeavoured to present my observations to this House. I am sensible that I have done so feebly, and under circumstances of no ordinary difficulty. Obedient to the wish of the House and to your decision, I have, within the last half-hour, greatly reduced some, and altogether suppressed others, of the most important of the charges which I had intended to prefer—ay, and to prove—against the noble Lord. I crave your permission to say, that I am far from abandoning them. I have to take it into my consideration what course to pursue; and I will endeavour to shape my future conduct with respect to these charges in conformity with that course. The charges themselves are not withdrawn. The language in which I have expressed them, I would wish to modify; so far as to meet your wishes, Sir, and those of the House. But the charges themselves are not withdrawn, nor modified. And here I deliberately repeat them, and avow my readiness to prove them; prepared, if I fail, to submit myself to the heavy censure and chastisement of this honourable House.

I should insult hon. Members were I to remind them of their duties in this regard. I will not tell them, that if, under my deliberate sense of duty as a Member of the House, such has been the course, which I have held myself under an obligation to take—that, on their side, they cannot fly from the punctual fulfilment of that graver duty which—mine being discharged—now devolves upon them. It is not for me to admonish them;—and I gladly forbear. But I feel that I have something to entreat at their hands. And it is, that they will forget the insignificance and faults of the individual who stands before them in the place of the accuser—that questions of personality may be this day allowed to merge in the gravity of the function—and that, if that function, once the noblest title of a British senator, has in these days degenerated into hands like mine, they will not accuse my presumption in assuming a post unbecoming my years or fitness — for that would be an injustice—but rather that they will generously lay the blame upon their own remissness.

Mr. SHEIL: Dungarvon is so near to Youghal, that in virtue of my Parliamentary vicinage to the hon. and learned Gentleman who has just sat down, and in

right of the geographical affinity that subsists between us, I think myself entitled, if not to complain, at all events to express my surprise, that the hon. and learned Gentleman who, at the hustings of the borough (by which a very peculiar predilection has been displayed), was more utterly Irish than the most utter Irishman of us all, should have so soon dismissed from his solicitude the country by which he was so generously, perhaps fantastically adopted; and that, not contented with giving a notice, to which in the annals of notification no parallel in prolixity and complexity can be found, should have assigned and made over the repeal of the Union to the hon. Member for Stafford. [Mr. ANSTEY: No, no!] I shall readily prove it. This is the Notice-paper of the 23rd of November. The names of Anstey and of Urquhart stand in happy and Arcadian juxtaposition. Mr. Urquhart's Notice, No. 10, runs thus:—

"Mr. Urquhart—Address, praying Her Majesty to exercise Her Majesty's undoubted prerogative of summoning, within Her Majesty's realm of Ireland, the Peers spiritual and temporal of that realm, and the knights, citizens, and burgesses thereof, in order that Her Majesty may take counsel with the same in regard to the great and manifold derangements and sufferings of that kingdom. [Monday, Dec. 6."]

In immediate succession come Mr. Anstey and his portentous notice. I could not help exclaiming, when I perused the Parliamentary paper—"How is this? How has this strange swop been made of the world for College-green? How has it come to pass that the Member for Youghal has abandoned his moorings in a little creek, and launched into the shoreless ocean of foreign policy; while the Member for Stafford, who has circumnavigated the world, steers into the narrow Irish Channel, where, for a ship so gallant, there is scarcely sea-room?" I found it difficult at first to solve this enigma; but when I had observed that the Urquhart Motion had been relinquished, and that the Anstey Motion was preserved—when I discovered that Ireland had been given up, and that the universe had been retained—I concluded that the Urquhart notice for repeal was but a feint; that an ingenious arrangement had been made by the hon. Gentleman; and that it had been agreed that the Member for Youghal should draw out the noble Lord the Secretary for Foreign Affairs; and that, after the noble Lord had been deprived of all opportunity of reply, the Member for Stafford should suddenly rise from his ambush, and with a courageous impunity should precipitate himself upon him. An allowance ought to be made, perhaps, for a contrivance not consistent with the spirit of fair play that distinguishes this House, on the part of two Gentlemen who have just entered it; but this expedient is not perfectly legitimate, and, as it is obvious that this Motion originates with the Member for Stafford—as the eloquence of the one is evidently the result of the inspiration of the other—as the Member for Stafford has for a series of years devoted himself exclusively to the denunciation of the noble Lord—as he has traversed the whole country, and employed lecturers through all England for the purpose of holding up the noble Lord to the execration of his country—as, in one word, the noble Lord is to be put upon his defence—it is but just and reasonable that the prosecutor should state his case, and that the noble Lord should be enabled to reply to the imputations which it is the purpose of the Member for Stafford to prefer against him. I had, I acknowledge, come down to this House with the intention of referring to those great transactions in which my noble Friend has been so conspicuously engaged, which stand in such prominence in the annals of our times, and on which the historian, neglecting all trifling details, will hereafter ground his unimpassioned adjudication. I had intended to prove that my noble Friend had always performed the part which it becomes an English Minister to enact—that with great abilities he combined a thorough knowledge of the political and commercial interests of his country, and those moral attributes which characterise the great nation whose cause is intrusted to him—that he had always been highminded, straightforward, direct, and true—that the honour of England had remained unsullied in his care—that he had been the champion of humanity, the promoter of civilisation, and the abettor of constitutional and of well-ordered freedom in every country of the world. I could have proved this—all this. I should not have said this in the language of unqualified and undiscriminating panegyric, because I think that fulsome adulation is only less odious than the rabid and envenomed vituperation, in the indulgence of which the foulness of the tongue does but denote the distemper of the understanding, or the vitiation of the heart. But, since I heard the speech of the hon. and learned Gentleman, I have changed

my purpose. When I heard him, in his desultory and vague harangue, give utterance to the gross contumelies which he has so profusely poured out; when I saw him discharging that vile vituperation, against which the instinct of his audience revolted; when I heard him charge my noble Friend with deliberate falsehood; when I heard him say that the noble Lord made promises which he never meant to fulfil—that he had again and again been guilty of meditated untruth—that he had acted basely, perfidiously, and ignominiously; when I heard him say that the noble Lord had procured Mr. Backhouse to countersign a lie—for he employed the odious monosyllable in all its detestability; when I heard him say that Mr. Backhouse had pined to death under the sense of all the guilt and of all the shame which had been inflicted upon him by the noble Lord—he expressed a desire that he could summon from the grave the honourable man on whom he sought to fix the mercenary falsehood; and it is well for him that he is not endowed with any necromantic power, for the spectre which he would evoke would utter a confutation of his calumnies—when, I say, I heard him say these monstrous things; when I heard him again and again violate all the decencies of the House of Commons, until you, Sir—not in order to protect the noble Lord, by whom these preposterous accusations should be despised, but in order to save the House of Commons from the maculation which he was casting upon its dignity—were compelled to interpose, and to stop the hon. and learned Gentleman in his career of vilification;—I felt that the speech of the hon. and learned Gentleman did not call for any animadversion, and that my noble Friend ought to listen to it with an apathy with which commiseration ought not to be unmixed. I have, therefore, abandoned my original purpose. I will not take any notice of the speech of the hon. and learned Gentleman beyond that which I have already taken. The House is impatient, or, if not impatient, at all events it is curious, to hear the hon. Member for Stafford. He is not only the client but the only witness of the hon. and learned Gentleman. The rest are dead. I was struck during the speech of the hon. and learned Gentleman by the remarkable fact, that every one was in his grave to whose authority he could refer, excepting always the distinguished survivor, the Member for Stafford. Mr. Backhouse, whose memory he took such pains to blacken, Sir Herbert Taylor, Lord Durham, Lord Holland, William IV., are for ever silent. But one great witness remains—the Member for Stafford. It is right, therefore, that his evidence should be at once produced. Let him get up; let him state the facts on which the Member for Youghal relies, and give in his solitary attestation. If he shall distinctly and unequivocally specify facts which are intelligible to the House of Commons, and challenge the noble Lord to encounter him in a field in which the lists shall be so closely circumscribed that the noble Lord can seize his antagonist and grapple with him in stern and conclusive conflict—if he shall do this, then the House will listen to him with interest and attention. But if the hon. Gentleman shall indulge in vague and indefinite invective—if, instead of condensing, he shall disperse his antipathies through a mass of multifarious matter—if he shall, with a sinuous lubricity, endeavour to glide away through slimy generalities from the grasp of the noble Lord—then the House will come to a conclusion in reference to the motives of the hon. Gentleman very different indeed from that to which his associate the Member for Youghal desires that the House of Commons should arrive.

MR. URQUHART: Sir, I will not pursue the right hon. Gentleman in his general and personal observations, which have very little to do with the case before the House. On that case, I shall make but few observations, because until something like a reply is given to the elaborate and extraordinary statement of the hon. and learned Member for Youghal, I do not conceive that the debate will have arrived at that point when it is necessary to furnish fresh evidence. As regards myself I conceive that the voluminous productions which the right hon. Gentleman (Mr. Sheil) has satirised—and my long efforts to bring before the attention of this country the conclusions which I have formed regarding the conduct of its public affairs by the noble Lord (Lord Palmerston), discharge me from the necessity of re-stating anew in this House, or of re-asserting in this place the proofs upon which these imputations rest. If what we assert is true, events will come to open your ears, and to soften your hearts. If we are wrong, nothing can be easier than to show that we are so. I take my stand against the present opinion of this House upon

these results. They will determine whether I am an enthusiast, or this nation labouring for a time under a delusion. Such delusions have occurred before. When I refer to the words of wisdom of those men, who, living in times of danger and of doubt, have left their words a memento to future generations—if they have not been a warning to their own—I find that they consist in inculcating watchfulness and care. "It is not arms nor wealth, it is not ships nor batteries, it is not the markets which you command, nor the exchanges in which you flourish, but precaution, which is the strength of a State." But returning within the limits which for the present I have prescribed to my thought and my expressions, I will state something personal to the House, which, I trust will be received with its kind indulgence. Sir, I declare to you and in the presence of this Assembly, that I most firmly believe the accusations which have been made against the noble Lord. I declare in the presence of this Assembly, that in consequence of that belief I have for more than twelve years laboured by night and by day to bring this truth to light. You may treat the charge as groundless; but while the hearts of men are still of flesh, they will not revile one who, even if mistakenly, has pursued a great public end, with singleness of purpose and sacrifice of himself. I have sacrificed every object of worldly ambition. I have sacrificed health, prospects, fortune. I now further expose myself to a higher and a mightier sacrifice—that of your disdain. Sir, it is not to-day that this conviction has been formed—it is not in your august presence that for the first time it has been expressed. When first the horrible thought crossed my mind, and took root in my breast, it was to my Sovereign that I appealed, and to whom I confided my misgivings. Of this the noble Lord is well aware. It was after this, that I filled a public office; but that office did not entail upon me the resignation of my integrity. The noble Lord is there to bear testimony to the fact, for I declare it, and he cannot deny it, that when I was excluded from the public service, I had no personal difference with himself. He is in possession of a letter of mine in which I in grateful terms thanked him for my recall as an act of favour. And why did I take that course—why did I not, as Lord Stanley at that time suggested, demand a Committee of this House to inquire into the transactions between the noble Lord and myself? Because at that time, I was under the impression that the noble Lord had sought by sacrifice of me to have his hands more free to act for a great national object. I was under the conviction that the noble Lord might have legitimate grounds for setting me aside as one too forward in the assertion of British rights against Muscovite ambition, and thus realise the practical ends which I songht, while taking away from his own character any appearance of extravagance or excess. It was upon that ground, and for that reason, that instead of seeking reparation for the wrong that had been done me, I addressed the noble Lord in the strain which I have just now characterized. I bring these two points together for the purpose of showing that while during seventeen years I have stood opposed to the noble Lord, attempting to rescue—contemptuously as you may treat the assertion—England from his hands; still the noble Lord cannot charge me with any personal purpose, or personal animosity. Before I accepted public service, before I wore a uniform, or a livery on my back, had I struggled with the noble Lord—suspected him—denounced him. This suspicion was filched from me for a time. When I was extruded, I made no complaint; but when afterwards I saw the whole series of measures which had been adopted avowedly to restore the position of England, sacrificed—then did I revert to my original suspicions, and denounced the noble Lord for what I now unmistakably knew him to be. But my own internal convictions would not alone have sufficed to justify such a course. The case required to be susceptible of proof; and such there is available and abundant, that the noble Lord had been serving from first to last an extrinsic Power—the bitterest foe to England, and of the human race. These conclusions were first addressed to the Foreign Office. I addressed them not to the noble Lord, for this reason, that the noble Lord in his place—there where he now sits — had charged me with falsehood—me not then here to answer; and he, knowing that that charge was false, there uttered it. He did indeed say "No, no!" when on a subsequent occasion Sir S. Canning referred to his having used such language; but I heard the words myself, and have recorded them in the letter to which I allude,

addressed to the Under Secretary of State, Mr. Backhouse. I stated why I could no longer address myself to the Secretary of State for Foreign Affairs, from the falsehoods of which he had been guilty, and the treasonable purpose in furtherance of which he had uttered them. This letter was not left without reply; it was replied to by Mr. Backhouse, who is now no more. So much in reference to my part and motives in a charge which, however sneeringly it may be treated by the geographical, though not, I am sorry to say, moral neighbour of the hon. and learned Member for Youghal, is, I venture to affirm, an historic event. Whatever may be the opinion this House now entertains, whatever the vote it may give, I defy this House's opinion, or this House's vote, to restore to the position in which he stood this morning, the noble Lord. That charge has been impending over the head of the noble Lord for years; it has been whispered in foreign Courts; it has been alleged by various individuals in the diplomatic service, on their own grounds; it has been at various times insinuated in this House, the noble Lord taking care on all such occasions to absent himself, or to abstain from reply—now, by a series of persevering and courageous efforts has at last been distinctly made. He has been charged with no accidental failing, no fleeting passion, no error, ignorance, or mistake; but with a whole clear and connected system of guilt. It is utterly impossible that such an event shall not weigh upon the mind of England and of Europe. Now is understood what we mean. Upon each former occasion of inquiry into his acts some special reason was assigned, and he triumphed, because one occasion never could suffice to get to the bottom of the matter; but now for the first time, have the different parts been brought together, and is the idea presented of a connected purpose in apparent contradictions, assumed failures, and pretended successes. Now is placed in juxtaposition the language used by the noble Lord at the beginning of his career, and the results revealed at the end, and therefore is the mind brought to see that throughout the whole of the noble Lord's proceedings, that in whatever the noble Lord has done, or left undone, one result has been invariable, and that is the augmentation of the power and influence of the Czar. Some years ago my noble Friend the Member for Marylebone (Lord D. Stuart), now sitting behind the noble Lord, said, that he had "exhibited England in the character of a bully and a coward." [*Cries of* "Order!"] On the 17th March, 1837, the Member for Marylebone uttered in a House less squeamish than that House which I now address, these words—"He" (the noble Lord opposite) "has exhibited England as a bully and a coward, cruel and tyrannical to the weak, mean and abject before the strong." But since the year 1837 a new light must have broken in upon the noble Lord the Member for Marylebone, for now the noble Lord at the head of the Foreign Department shows himself as cruel and tyrannical to the most powerful, as he hitherto had been to the most weak. Up to that date (1837) he had not reached the point where he could openly dare that which was the end of all his toils, as it was the end of Russia's purpose. Our great neighbour has been added to the list of States insulted and trampled upon. The general character of truckling to the powerful and overreaching of the weak disappears, and gives place to some other and of course truer solution of the mystery. It is not character, it is calculation. To exasperate France and England against each other is the result, as it has been the aim of all our negotiations. It formed the subject of the first discussion I ever had with the noble Lord, and that was in 1831; it is the result which he has successively achieved in 1840 and 1847; it is that upon which the designs of Russia are based, and by which they shall ultimately triumph; and to this consummation the labours of the noble Lord have been undeviatingly directed, and successively employed. Now, I am prepared to prove, and I stake my character upon it, and the House will be justified in applying any censure to me if I fail, that in one negotiation which has been referred to to night, viz., that of the Treaty of Turkey, there have been changes made in its stipulations with the view and with the effect of serving the interests of Russia in Turkey. Sir, I am possessed of documents so numerous and minute, and of testimony so consecutive, that no body of men sitting down with the purpose of ascertaining the facts can arrive at any other conclusion, save that of intentional falsification to serve the interests of a foreign Power. I will not dwell further upon this, or refer

to any other matter: it is needless for me, I trust, now on an appeal for inquiry, to do more than in my place here as a representative of the people of England, to charge a great crime for which ordinary tribunals do not suffice, and to state that I am ready to bring the allegation to proof, and to supply the proof which will lead to conviction. Sir, I speak to you not in your political, but in your judicial character, as the chief of the Grand Inquest of the Nation. I do not bring forward any political dogmas or opinions; I bring forward a matter of fact which I allege to be a matter of crime. It is the wise intention of the English law to furnish facilities for the attainment of justice; first by aiding the accuser, and at a subsequent period of the proceedings by shielding the accused. In the first instance, it is enough that the prosecutor should accept the liabilities connected with preferring a charge —the grand jury receives that charge in secresy, and with closed doors, in order that no difficulties arising from station or prejudice should interpose between guilt and its punishment. It is in the after stage of the proceedings the judge intervenes, as the counsel of the accused. A *primâ facie* case, an *ex parte* statement, is all that is requisite, even in the most trifling matter, for proceedings to be instituted. Is it not clear that when from the place where I now stand, a charge such as that which I make, is made against a Minister of the Crown, it is the part and duty of the body which represents a free nation to take care that it be investigated, and judicially decided upon. I wish to God, that that charge were false—I wish to God, that the result of this investigation should prove me—it would not prove me to be a maligner, for I have had no double intention, but—a visionary. I wish to God, that I had not to bear the burning sense of shame in my breast for my country's acts, and load of fear on my mind for her fate. There is here either danger or calumny. If it be calumny, let it be put down—if it be danger, let it be averted. If this is not a case for investigation into the conduct of a high functionary, such case can never arise. But beside these public and legitimate obligations to control a servant of the Crown, there is another resulting from your having taken out of the hands of the Sovereign the appointment of Her own Ministry. When you raise a Ministry to office, the Foreign Office falls to an individual who has not been selected by peculiar qualifications, and who does not depend for the support of this House upon the peculiar merits which he has displayed, or the success which he has attained in his own department; he depends entirely upon the aggregate of opinion which favours the party to which he belongs, or to which he professes to adhere. On those double grounds of the usurpation—I will not, perhaps, use that term, but on the interference—by the accidental majorities of this House, with the appointment of the high Officers of State, withdrawing the department of the Foreign Affairs from the direct control of the Monarch, as well as by your functions of inquisitors into the conduct of Ministers, I appeal to you not to deny inquiry. If there be any man in this House who is confident that the noble Lord is guiltless, to him I appeal to afford the noble Lord the means of vindicating his honour. If there be any man in this House interested in the character of the Whig party, to him I appeal in favour of the dignity and fame of that great Liberal section of this mighty empire. If there be amongst you a friend to the alliance with France, to him I appeal—for what we allege is that there has been a fraud perpetrated upon France. If there be any man, an honest admirer of Russia, that is, an advocate of her alliance, because he holds her to be just and upright—surely to that man I may appeal, to favour and advance this inquiry, for the allegation is no less than that a fraud the most detestable that a nation can practise upon another, has been practised by Russia on England. To those who desire reduction of expenditure, I confidently appeal to favour this inquiry. The apostle of free trade himself, the other evening, admitted that the assigned occasion for the increase of the naval and military expenditure from 11,000,000*l.* in 1835 to 17,000,000*l.* in 1848, were entirely owing to the acts of the noble Lord. If there be any one who really wishes to put down the slave trade, to him I appeal, for it is charged that the slave trade has been made use of by the noble Lord to disturb the peace of the world. My last appeal will be to those magnificent philosophers who by commercial ties are to put an end to war. To them, I say, grant a Committee, and I will prove that the noble Lord has frustrated the opportunity of beneficial commercial negotiation with the principal

States of the world, and that at the noble Lord's door lies the obstacles to the free commercial intercourse of this country, just as much as at his door lie the incidents and animosities which have furnished the pretext for increase of our naval and military establishments. The Motion, I am reminded, is not for a Committee of Inquiry, but only for papers; and consequently it is to that preliminary step, and not to the graver one of a Committee, that my entreaties must apply. I will conclude with this remark, that I have examined with the utmost care every transaction in which England has been engaged since the accession to office of the noble Lord, and that I speak as I do at this present moment in consequence of the labour that I have given to this inquiry. The conclusions to which I have arrived in each of these cases is the same. I was present at a meeting of the Chamber of Deputies in 1840, when a charge of corruption was brought against a Minister of the Crown. It was alleged against M. Thiers, that he had used the telegraph for private speculation. The outcry against that accuser was great; it was greater than that which assailed me some time ago. Amongst the general clamour, a shrill voice was heard demanding silence. "Gentlemen," exclaimed M. Thiers, "your honour is concerned, for I am one of your body. This accusation imposes upon you two duties; the first silence, the second attention." That charge was discussed, disproved, and disposed of in half an hour; it had reference to the acts of a week. The charge which here I stand to support, is a charge involving eighteen years of malversation—a charge which has been supported to-night by the assertion of falsification and suppression of documents, which therefore cannot be met by any general reasoning. An investigation by a Committee of this House is therefore imperative for the honour of the Minister—for the honour of the House—for the safety as well as honour of the country and the Crown.

Viscount PALMERSTON: Sir, I trust that in what I may have to say, I shall exercise so much control over my temper that I shall not forget the respect which I owe to this House; and I shall avoid the use of language which I think is only disgraceful to those who employ it—language at variance with the rules of this House, with the courtesies of society, and with the practice of gentlemen. In such language, Sir, I at least shall certainly not express myself. I must, however, be permitted to repel in terms the most comprehensive — in language the most positive and complete — the charges of every kind and description which the hon. and learned Gentleman and the Member for Stafford have brought and asserted against me this day. Sir, if it were not out of respect for this House, and on account of what I feel to be due by a public man to the country—if the question were merely a question between myself and these two Members of Parliament—then, Sir, I doubt whether I should condescend to notice them—I doubt, I say, whether I should condescend even to contradict and to disprove those assertions. But, Sir, not only do I repel with the indignation and scorn, with the disdain and contempt, which are the only appropriate sentiments which a man in my position can express for charges so false and unfounded as those which have been this day adduced against me; but I declare to this House that if it be their pleasure to institute an inquiry into the whole of my public conduct, from the first day when I entered the public service down to the moment in which I am now speaking—that there is not a document, not a public or official document in the records of the Foreign Office — there is not a private letter or a confidential communication in my own possession —which I will not with readiness and with pride submit to the examination of such a Committee—of a Committee to inquire into my political improprieties, if it be so decided, formed exclusively of my political opponents. Sir, having said thus much on the general matter of the accusation, I find it difficult indeed, from the confused and multiform catalogue of subjects to which the hon. and learned Gentleman has adverted, to compress my answer within the limits to which, for the present at least, the rules and Standing Orders of the House will confine me. Sir, the hon. and learned Gentleman has delivered a speech in which he has made such a jumble of misrepresented facts—of perverted statements—of assertions of things which never took place at all, and for which there is not the slightest foundation, that his oration resembles rather the confused and distorted images presented by a kaleidescope out of order, than anything else which could be presented to the vision of a human being. Sir, the hon. and learned Gentleman has

gravely quoted those who are no more; and I feel it due to the character of a man for whom I felt the greatest private esteem and friendship, I mean the late Mr. Backhouse, to confute the calumny which the hon. and learned Gentleman has flung upon his memory. That any man who ever knew that gentleman by name and reputation, which I believe everybody did, should accuse him of telling a deliberate falsehood, is that which I never expected to hear stated before a company of Gentlemen such as that now assembled around me. If there ever was a man of honour, of truth—if there ever was a man of upright sincerity and plainness of heart—that man was Mr. Backhouse. He was a man as independent in mind and character as he was honest and upright in disposition, and as incapable of perverting or concealing the truth out of regard to any man whatever, as he was incapable of spontaneously asserting that which he did not believe to be most strictly true. Now, Sir, I shall not follow the hon. and learned Gentleman with regard to those events which he touched upon, but which took place before I was born, because whatever may be their bearing upon the complicated transactions now under consideration, I do not know that my conduct can be impeached with respect to them. I say nothing, therefore, about Lord George Gordon's riots. Neither, Sir, do I think that I am called upon to defend those transactions which occurred previous to my official birth. The hon. and learned Gentleman has, however, dwelt upon events which happened in the years 1828 and 1829, at a time when I did not hold the office which I now have the honour to fill. Sir, it appears to me that the hon. and learned Gentleman has one fixed notion, and one fixed series of charges founded thereon. He seems to imagine, in the first place, that it has been my lot, by some magical power—he has not stated whence I acquired it, or how I exercised it—to have been able, since 1830, to sway the minds and to govern the conduct of all mankind—in short, to direct and control all the affairs of the world—and, moreover, he seems to fancy that the purpose for which I exercised this Aladdin's lamp sort of faculty, has been the abasement of this kingdom, and the extension of the powers of Russia. England, in short, says the hon. and learned Gentleman, is now a province of Russia; her influence is paramount in our country—and, through our country, in the world. Now, the first event on which the hon. and learned Gentleman founds his charge is a civil expression in the despatch of the Ambassador from Russia, written in 1829, with regard to a speech which I made—I forget whether on the affairs of Portugal or those of Greece—and the hon. and learned Gentleman urged that whereas in 1829 a Russian Ambassador, writing to the Russian Government, said that I had made a good speech—that, therefore, it was conclusive evidence that I must be a traitor to this country, and in league with Russia. Now, on that ground—the ground of having made a good speech—no man will ever charge the hon. and learned Gentleman with being a traitor. On that ground at least he will never be accused of being wanting in loyalty to his Sovereign. Well, Sir, I had the misfortune to make this speech, which drew down upon me the secret good word of the Russian Ambassador. I am next accused of having approved of the conditions of the Treaty of Adrianople—conditions which, in his opinion, were injurious to the interests of Turkey. [Mr. C. ANSTEY: I spoke of the declaration of war.] Just so. The hon. and learned Gentleman not having got up his part correctly, has now discovered the real fact of the case; but I can assure him that I took his words down, and I corrected him by saying that the opinions which I expressed related to the declaration of war, not to the Treaty of Adrianople. And I justify these opinions. I say that Russia had just cause of war. I say that Turkey had violated her treaties with Russia—had committed acts inconsistent with her engagements; and I thought then, and I think now, that Russia had just cause of war against Turkey. That Power was influenced by unfortunate and evil advisers. There had been a question between England, France, and Russia, on the one hand—wishing, as they did, to establish the independence of Greece—and Turkey, who wished to prevent it, upon the other; the Austrian and Prussian Governments rather siding with the Porte upon the occasion. Well, as I said before, the advice of evil counsellors prevailed, and Turkey was induced to commit acts of aggression againt Russia. But I never said that I approved of the conditions of the Treaty of Adrianople. That treaty was concluded when I was out of office, and it was not for me to do otherwise than express an individual opinion upon the subject. That

opinion was then, and is now, that the conditions were hard, and not fair as between the two parties. But they were imposed by a conqueror in a war in which Turkey was worsted; and, I believe, that the acceptance of these conditions was not altogether at variance with the advice which from every hand Turkey received —from quarters, indeed, known as well-wishers to her power. The hon. and learned Gentleman said that the Earl of Aberdeen protested against the Treaty of Adrianople; and undoubtedly there was a despatch from the Earl of Aberdeen, stating why the British Government disapproved of that treaty; but when the hon. and learned Gentleman says that the Government of the day declared that they did not acknowledge that treaty as part of the law of Europe, the hon. and learned Gentleman states that which is not borne out by historical facts. They protested against it. But does that amount to denying that the treaty is valid, and that the rights conveyed by it are rights which the contracting parties are justified in enforcing and maintaining? I try to follow the hon. and learned Gentleman a little chronologically, though no such order was observed by him. He went on then to say, that it was an act of a Government of which I was an organ, which subjected Persia to the influence of Russia. But that ascendancy dated from the Peace of 1828, from the conclusion of the war with Russia, into which Persia rushed against the advice of the British Government. It was that war and the (for Persia) unsuccessful result of that war, which led to the treaty by which a large portion of Persia was surrendered to Russia, and, as a natural consequence, a predominance of Russian influence in the councils of the Shah arose; to that species of ascendancy founded upon fear, which must be often the motive principle in the government of States such as Persia, and the influence which they must most readily obey. Then, Sir, the hon. and learned Gentleman, passing from the Treaty of Adrianople, which took place before I came into office, adverted to the encroachments made by Mehemet Ali, and argued that the English Government ought to have assisted the Sultan in resisting that aggression. Now, that question was maturely considered by the British Government of the time—

The clock here pointing to Six,

MR. SPEAKER, interrupting the noble Lord, said, "This debate stands as an Order of the Day for To-morrow, and the House is now adjourned."

House adjourned accordingly.

HOUSE OF LORDS,

Thursday, February 24, 1848.

MINUTES.] PUBLIC BILLS.—2ª Incumbered Estates (Ireland).

PETITIONS PRESENTED. From Parish of St. Marylebone, for the Imposition of the Severest Penalties on all those Roman Catholic Priests who shall Denounce Persons from the Altar.—From Glasgow, and several other Places, against the Diplomatic Relations, Court of Rome Bill.—From Attleborough, and several other Places, against the Removal of Jewish Disabilities.—From Brechin and Perth, for facilitating the Attainment of Sites for Churches (Scotland).

THE "UNITED IRISHMAN."

LORD STANLEY: My Lords, with the permission of the noble Lord on the Woolsack, whose notice of Motion stands before mine upon the paper, I now rise for the purpose of calling your attention to the publication of a paper in Ireland, of which I gave notice a few evenings ago. In doing so, I shall trouble your Lordships with very few observations of my own, because the whole of my case depends on the extracts from the paper itself, and on the result of the questions which I shall have to put to Her Majesty's Government in connexion with them. It is only necessary to remind your Lordships, that in consequence of differences of opinion—not, indeed, as to the end aimed at, or the objects to be gained, but as to the mode of carrying them out—among the members composing the Repeal Associations, that body has been split into two sections, agreeing in their ultimate object, but entirely opposed as to the manner of effecting it. Of these two sections, the more prudent and cautious, acting on the principles of the policy which were pursued by Mr. O'Connell in his lifetime, and by his immediate followers since have adhered to the original body which meets in the miscalled Conciliation Hall. The more violent, anxious to take steps for the speedier attainment of their aims, have established a body which they term "The Irish Confederation." In the Irish Confederation, again, there has been some collision of opinion, of various degrees of incaution and imprudence, with respect to the proper course to be pursued by them for the attainment of their views. Shortly after an early meeting of the Confederation, two letters were published, one from Mr. Mitchell, and the other from Mr.

Reilly, which appeared, even to this body, to be of such a dangerous and seditious tendency, that they were the subject of discussion; and, in order to show the spirit by which the Confederation was animated, I may add that a division took place, and by a majority of 317 to 188 this publication of the letters was condemned as being imprudent and incautious. Mr. Mitchell in consequence withdrew from the Confederation, and established a paper on his own account, which appeared for the first time on the 1st of this month, under the title of the *United Irishman*, to which I now call attention. Before I quote any of the articles which it contains, permit me at the outset to show your Lordships the language of the moderate party of the Irish Confederation, reported in the same paper, and which is stated to have been delivered by the same gentleman who condemned the publication of the letters I have before referred to as being imprudent. I shall read to your Lordships a portion of the speech made by Mr. Meagher in objecting to the course suggested by Mr. Mitchell, wherein he holds this language :—

"Is an insurrection probable? If probable, is it practicable? Prove to me that it is, and I, for one, will vote for it this very night. (Tremendous cheers.) You know well, my friends, that I am not one of those tame moralists who say that liberty is not worth a drop of blood. (Hear, hear.) Men who subscribe to such a maxim are fit for out-door relief, and for nothing better. (Cheers and laughter.) Against this miserable maxim, from every spot where heroism has had its sacrifice or its triumph, a voice breaks in upon the cringing crowds that cheer this wretched maxim, crying out—'Away with it, away with it.' (Tremendous cheers.) Would to God, Sir, that we could take every barrack in the island this night, and with our blood purchase the independence of the country! (Renewed and rapturous cheering.) It is not, then, a pedantic reverence for common law—it is not a senseless devotion to a diadem and sceptre—it is not a whining solicitude for the preservation of the species (laughter)—that dictates the vote I give this night in favour of a constitutional movement. I support this constitutional policy, not from choice, but from necessity. My strongest feelings are in favour of the policy advised by Mr. Mitchell. (Hear.) I wish to God that I could defend that policy. It is a policy which calls forth the noblest passions; it kindles genius, generosity, heroism; it is far removed from the tricks and crimes of politics. For the young, the gallant, and the good, it has the most powerful attractions. (Cheers.)"

Now, my Lords, in the last sentence of the speaker there is just so much truth as renders it necessary for me, in my judgment, to call your attention to it. It is true, these tales of oppression and tyranny are without ceasing inculcated in the minds of the people, and that the national resentment is stimulated by statements wholly unfounded or misrepresented and highly exaggerated. It is the young and highly spirited, whose reason is not matured in proportion to the heat of their blood or the fervour of their patriotism, who are the most likely to be misled by the attraction of this vehement and high-flown oratory—it is they who are the most likely to be led away, by their inexperience and by their sympathy with the very qualities which are not only blameless but laudable, till they become in the first instance the dupes, and eventually the victims, of those who are more crafty, more cautious, and more wicked than themselves. I say, then, it is time for your Lordships—and I say it is our duty to the State—to interfere and prevent this poison being poured into their ears. Having called your Lordships' attention to the tone used by the more moderate of the party which has been deserted by Mr. Mitchell, allow me to direct it, not to a mere casual article in a newspaper, but to the programme of the newspaper, and which declares the avowed and intended object with which it is established and circulated. In the first page there is a discussion as to the mode in which the independence of Ireland is to be attained; and the writer, in commenting upon the language in which Mr. O'Connell couched his recommendations, and after stating that, during Mr. O'Connell's agitations, the words "moral," "peaceful," and "legal," were reputed to mean the same thing, proceeds to say—

"Now, plainly, what is legal may be neither moral nor peaceful; and what is moral may be highly illegal, and the very reverse of peaceful. For example: the Irish Confederation's present plan of action is peaceful and legal, but immoral. Mr. Varian's plans are moral and also peaceful, but highly illegal. Our method is moral enough, but neither peaceful nor legal. Whosoever desires to shake off English dominion, and has a *bonâ fide* suggestion to give for that end, may be a confederate of ours, and one of the United Irish of our Lodge."

These remarks, announcing the objects of the paper, were in the first number. The motto of the paper, taken from the writings of Theobald Wolfe Tone, is to the following effect :—

"Our independence must be had at all hazards. If the men of property will not support us, they must fall. We can support ourselves by the aid of that numerous and respectable class of the community—the men of no property."

The first article in this paper I shall now

direct your attention to. I hope I shall not be thought desirous of interfering with the liberty of the press, or of interfering with the discretion of Government in this course. I am not seeking to call the attention of Government to a casual article, or to bring these gentlemen within the scope of the law for a hasty or ill-considered expression. No, my Lords, this is a different case. These passages to which I refer are contained in the programme of the course to be pursued, and of the object intended to be carried out, and of the string on which he intended constantly to harp, for the purpose of exciting sedition and rebellion among Her Majesty's subjects in Ireland. This article is in the shape of a letter, which is directed as follows:—

"To the Right Hon. the Earl of Clarendon, Englishman; calling himself Her Majesty's Lord Lieutenant General and General Governor of Ireland.

"My Lord—To you, as the official representative of foreign dominion in our enslaved island, I mean to address a few plain words upon the aim and design of this new journal, the *United Irishman*, with which your Lordship and your Lordship's masters and servants are to have more to do than may be agreeable either to you or to me. Those words shall be so very plain, that even if your Lordship vouchsafe to read them, I count upon your being unable—because you are a Whig and a diplomatist—to understand them in their simple meaning. I am going to mystify 'the Government' and the lawyers by telling the naked truth, whereof they are all hereby to take notice. Simply, then, the *United Irishman* newspaper has been undertaken by men who see that the sway of your nation here is drawing near its latter day—who know that all its splendid apparatus of glittering soldiers and conciliating statesmen, all its obscure and obscene lower world of placemen, place-beggars, place-jobbers, spies, special jurors, informers, and suborners—that it is all a weak imposture, an ugly nightmare lying on the breast of our sick State—that it is made up of *prestige*, and maintained by 'striking terror,' and needs but a charm of truth, a few true words spoken, a few bold deeds done—and the whole hideous brood will vanish like foul fiends at cock-crow. . .

"An exact half-century has passed away since the last holy war waged in this island, to sweep it clear of the English name and nation. And we differ from the illustrious conspirators of '98, not in principle—no, not an iota—but, as I shall presently show you, materially as to the mode of action. Theirs was a secret conspiracy—ours is a public one. They had not learned the charm of open, honest, outspoken resistance to oppression; and through their secret organisation you wrought their ruin—we defy you, and all the informers and detectives that British corruption ever bred. . . .

"For be it known to you, that in such a case you shall either publicly, boldly, notoriously pack a jury, or else see the accused rebel walk a free man out of the Court of Queen's Bench—which will be a victory only less than the rout of your Lordship's redcoats in the open field. And think you that in case of such a victory, I will not repeat the blow, and again repeat it, until all the world shall see that England's law does not govern this nation? . . . .

"In plain English, my Lord Earl, the deep and irreconcilable disaffection of this people to all British laws, law-givers, and law-administrators, shall find a voice. That holy hatred of foreign dominion which nerved our noble predecessors fifty years ago, for the dungeon, the field, or the gallows (though of late years it has worn a vile *nisi prius* gown, and snivelled somewhat in courts of law and on spouting platforms), still lives, thank God! and glows as fierce and hot as ever. To educate holy hatred, to make it know itself, and avow itself, and at last fill itself full, I hereby devote the columns of the *United Irishman*.—And I have the honour to be, &c.

"John Mitchel."

Now, my Lords, I think, that whatever your Lordships' opinions may be of the expediency of prosecutions of this sort generally, you will not be of opinion that the language of this newspaper is of a common kind, and I need not therefore apologise for having called the attention of the Government to it. This is not, as I said before, a mere casual article in a newspaper—it is the declaration of the aim and object for which it is established, and of the design with which its promoters have set out; that object being to do everything possible to drive the people of Ireland to sedition, to urge them into open rebellion, and to promote civil war for the purpose of exterminating everything English in Ireland. I hope, my Lords, Her Majesty's Government will not say that this is a matter quite insignificant—that it is below contempt—and that we should allow it to pass by in silence. If such a publication had appeared in England, I should have been very much inclined to think the good sense and sound judgment, and loyalty of the people, would have revolted at the article at once as a seditious and coarse invective, whose very violence, like an over-dose of poison, prevented its effect, and in the minds of all rational beings rendered it utterly inoperative. But this language is addressed, not to the sober-minded and calm-thinking people of England, but to a people, hasty, excitable, enthusiastic, and easily stimulated, smarting under great and manifold distresses, and who have been for years excited to the utmost pitch to which they could go consistently with the safety of those who excited them, by the harangues of democrats and revolutionists. This paper was published at *5d.*; but, as I am informed, when the first number appeared, so much was it sought after, that on its first apperance it was eagerly

bought in the streets of Dublin at 1*s.* 6*d.* and 2*s.* a number. With the people of Ireland, my Lords, this language will tell; and I say it is not safe for you to disregard it. These men are honest; they are not the kind of trading politicians who make their patriotism the means of barter for place or pension. They are not to be bought off by the Government of the day for a colonial place, or by a snug situation in the Customs or Excise. No; they honestly repudiate this course; they are rebels at heart, and they are rebels avowed, who are in earnest in what they say and propose to do. My Lords, this is not a fit subject, at all events, for contempt. My belief is that these men are dangerous—my belief is that they are traitors in intent already, and if occasion offers that they will be traitors in fact. You may prosecute them—you may convict them; but depend upon it, my Lords, it is neither just to them nor safe for yourselves to allow such language to be indulged in. I believe, because I have this strong persuasion of the earnestness and honesty of these men, that it is my duty to call your Lordships' attention to the first number of this paper called the *United Irishman*, which is intended to produce an excitement leading to rebellion, for the purpose of showing you the language held forth and the objects avowed by these men, to whom a large portion of the people of Ireland look up with confidence, and for the purpose of asking Her Majesty's Government if this paper has come under their consideration, and if so, whether the law officers of the Crown in Ireland have been consulted, and if it is the intention of Government to take any notice of it?

The MARQUESS of LANSDOWNE said, that he wished to confine himself, on the present occasion, to an answer to the question of the noble Lord. He had no hesitation in stating, that he had seen the newspaper to which the noble Lord had alluded, and he could also have no hesitation in saying, that he had reason to believe that the noble Earl at the head of the Government in Ireland had had his attention directed to it, as indeed he knew of no occurrence material to the interests of that country to which the noble Earl's attention was not directed. He (the Marquess of Lansdowne) was perfectly prepared to say that he entirely agreed with the noble Lord opposite in thinking that the publication referred to proved that there was no extent of sedition, falsehood, or exaggeration, to which, in the pursuit of notoriety, and in the exercise of their vocation, these young gentlemen of "no property" in Ireland were not ready to go; but, having said that, he certainly was not prepared to say that on every occasion, whatever might be the amount of malignity and sedition evinced in any publication, prosecution ought to be instituted merely on that account, and without reference to other circumstances. Still less was he prepared to say that Her Majesty's Government ought, on any occasion of this nature, by a direct and peremptory instruction to limit and to fetter that discretion of the noble Earl at the head of the Irish Government, which discretion they all knew had been up to the present period, upon every occasion, and would also be, he had no doubt, on every future occasion, exercised with the utmost judgment and attention to the circumstances of each case. Under these circumstances, no particular instructions had been forwarded on this subject by Her Majesty's Government. They knew that the noble Earl's (the Earl of Clarendon's) attention had been called to it; and they felt confident that he would act without delay as the circumstances of the case required; but he (the Marquess of Lansdowne) did not feel authorised to state that in the present circumstances of the case he had directed any such prosecution as the noble Lord pointed at to be commenced. He need not tell the noble Lord that there were cases (he did not at present say whether this was one) in which the character, or want of character, of the persons engaged, deprived the efforts, however malignant their intentions, of any mischievous effect, and, as the noble Lord had observed, made it questionable whether the extent of the malignity evinced did not render it innocuous, and whether the amount of the intended mischief did not of itself create that distrust and that feeling which proved the best punishment of those who contemplated it. He did not say that this consideration afforded a solution of the matter now under notice, as he was at present informed, but it was one which every wise Government would take into account. Leaving, however, the matter to the consideration of the Irish Government and of the noble Earl at its head, he felt confident that the judgment of those on the spot, applied to all the circumstances of the case, would be of a character likely to prove the most consistent with the public interests. He could

not say any more in answer to the noble Lord on this subject.

INCUMBERED ESTATES (IRELAND) BILL.

The LORD CHANCELLOR rose to move the Second Reading of the Incumbered Estates (Ireland) Bill, and proceeded to state the object and provisions of the measure. His Lordship was understood to say that, unfortunately for Ireland, the landed property there to a large extent was in a situation not only detrimental to those who had an interest in land, but also most injurious to the community at large; and, therefore, the importance of any measure intended to remedy acknowledged evils in respect to this matter would be admited. The great evil with respect to landed property in Ireland was, that a very large portion of it was heavily incumbered by mortgages, charges, and other interests, so that the ostensible owner in some cases could hardly be said to have any estate in the land at all. He, consequently, was not in a condition to improve the estate, and find employment at the same time for the population. When a man was really and actually the owner of an estate, he had both the means and the motive for improving it; but it was impossible for a landlord whose income arising from his landed estate was intercepted by mortgages and other charges to perform those duties which a landlord should discharge. This was a most injurious state of things for all classes; and the existing state of the law afforded no sufficient means for removing the difficulty. Scarcely any one who had at any time turned his attention to subjects of this nature would fail to know that the interest paid for money invested in land could not be compared with the interest derived from capital engaged in other pursuits; and it was equally well known that from many estates in Ireland no income whatever was derived — that was to say, the whole proceeds of the estate were absorbed by the incumbrances; yet, if the owners of those estates were enabled to convert them into money, the balance, or residue, coming to such owners would often be of considerable amount, and would, if prudently invested, yield handsome incomes. Of course, no one would wish to see the mortgagors lose their estates; on the contrary, the purpose of the Bill was to enable the owners of encumbered estates to dispose of them to advantage, and to invest the proceeds of those estates in a beneficial manner. By changes of that kind persons of no capital would cease to be the nominal proprietors of land, and the real masters of the soil would then become the ostensible owners. Such persons would not think of purchasing land without possessing capital sufficient for its improvement; and under the altered condition of the relations of landed proprietors towards their tenants, towards each other, and towards the community at large, they would be presented with every temptation to improve the condition of their estates. Although these objects were of great and paramount importance, yet he was as fully aware as any noble Lord in that House could be that it would be impossible to effect the proposed alteration of the law without doing much that might be considered inconsistent with the rights of property. But he would ask, why should the interests of the community at large, as well as the interests of individuals, be disregarded for the sake of maintaining mere abstract rights, which, in the existing state of society in Ireland, led to great practical injustice? In the case of land purchased for the use of railways, no such hesitation was felt — no such injustice was made the subject of complaint. He admitted there was extreme difficulty in carrying into effect all the objects which the framers of the Bill proposed to accomplish. It was true that in the simple case of mortgagor and mortgagee nothing remained to be done but to sell the land, pay the mortgagee, and let the owner of the estate receive the surplus of the purchase-money. But such a condition of affairs formed the exception, not the rule; generally, the condition of an estate presented more complexity; hence extreme difficulty and embarrassment in dealing with the conflicting claims of the various parties interested. In framing the Bill every possible care had been taken to guard against what might be called the absence of parties; and in every possible case provision was made that every person interested in an estate should be entitled to notice respecting any steps that might be taken with a view to its sale; the conduct of the affair being placed in the hands of a Master in Chancery, assisted by a person who should be appointed for that purpose by the Attorney General; and, as he had already said, nothing would be done without full notice to every one concerned, the Master in Chancery and the person appointed by the Attorney General being bound to watch

over the interests of all parties. He would repeat that every possible guard had been introduced into the Bill to render it next to impossible that the money paid into court should ever go into wrong hands. The noble and learned Lord went over other provisions of the Bill, and concluded by moving that the Bill be read a second time.

The EARL of RODEN tendered the noble Lord his sincere thanks for the pains which he had taken in the framing of the present Bill, and for its introduction to the House. The property of Ireland would never be able to support the poor, unless the landed proprietors were put in a position to get rid of the incumbrances which pressed upon them, and in many instances eat up nearly the whole of their income. In his opinion, the present measure would give them an opportunity of becoming real owners instead of being nominally the proprietors of four, five, or ten thousand a year, without really being in possession of as many hundreds. He was acquainted with one noble Friend of his, whose poor-rate for four months amounted to 1,250*l.*, on an estate from which he did not receive 3,000*l.* a year; and supposing that poor-rate was levied for a whole year, it would amount to 3,600*l.*, being 600*l.* above its receipts. This was only one instance; there were many similar. He trusted such a measure would be passed as would enable persons to sell their estates, creating a class of real owners instead of men nominally possessing thousands a year while they were almost paupers. He trusted the exertions of his noble Friend the Lord Lieutenant to give security and peace to the country would be assisted by spreading through the country a class of purchasers who would be able to perform the duties of proprietors. He thanked the noble and learned Lord for the attention he had given to the subject.

EARL FITZWILLIAM concurred in the opinion, that a measure of this kind was very desirable; but at the same time he thought it right to guard the House, and, through the House, the country, against any exaggerated expectations of the benefit to be derived from this Bill. He could hardly say he did not approve of the measure; he thought it a right and proper one; nor had he ever been able to understand why it should be confined to Ireland, since in many respects it was very applicable to England. It had been proposed as a measure calculated to enable the land of Ireland to support the poor; but it could only do so in those cases where it was brought into actual operation. He apprehended the number of those cases would be remarkably small; the operation of the Bill would also be very slow; first, because its provisions were to be carried out by the Court of Chancery, and because persons were long in coming to a conviction of the necessity of selling their estates. He feared, in the expectation of any great or immediate results from the measure, they would be disappointed. The noble Earl complained of the imperfect information afforded by the return just made of the "extent of incumbrances affecting landed property in Ireland," for the last ten years, from the office for the registration of deeds in Ireland.

LORD STANLEY agreed with the noble Earl that the return was very imperfect. With regard to the measure, he concurred with those who thought the evil to be remedied one of great and overwhelming magnitude in Ireland. The position of those landlords in Ireland who nominally had 10,000*l.* or 12,000*l.* a year, while they did not really possess more than so many hundreds, was very pernicious. In consequence of the inability of those proprietors to perform their duties, very erroneous ideas had been formed of their disposition to do it. He was not personally interested in the measure; but he anticipated considerable difficulties in carrying part of it into effect. The noble and learned Lord had doubtless paid great attention to the provisions by which the powers of the Bill were guarded; but he hoped some time would be allowed to elapse before they were called on to agree to the details. There would be great difficulty in dealing with estates that were divided. Incumbrances on Irish estates were often created without the consent of the owner; all these incumbrances were to be referred to the master; the expense was not thrown on the parties demanding the proceedings, but on the estate itself.

The LORD CHANCELLOR said a few words in explanation.

LORD CAMPBELL said, that one great object of the Bill was to cheapen and shorten the proceedings in the Court of Chancery. One of the sections gave a sort of Parliamentary title to purchasers of estates which would be a great advantage. Titles in Ireland were in a most deplorable condition. There was not there, as in England, a class of lawyers who de-

voted themselves to the law of real property. Most able lawyers there were in Ireland, but no conveyancers, who looked specially into titles. Although he was a great friend to registration, in Ireland the registers were exceedingly bad, and, instead of clearing up titles and making them more certain, often involved them in inextricable confusion. This Bill would give titles that would be good against all the world, and the purchasers of estates under this Bill would have a title which nothing could affect. He hoped the Bill would meet with their Lordships' approbation, for he was satisfied that it would prove of great benefit to the part of the United Kingdom for which it was intended.

Lord MONTEAGLE said, that so far from the principle of this Bill being objected to by the landed proprietors in Ireland, it met with their entire approval. But there was an inconvenience which would arise from the Bill in its present state which, he thought, required consideration, and might be remedied without violating the principle of the measure. It did not prevent a middleman who held land with a condition against subletting or dividing the land, putting a charge upon it for children, and upon his death the children became incumbrances, and the result might be that the middleman's interest would be split into parts, and the object of the Bill defeated. He was glad to learn that the object of the Bill was to cheapen and curtail proceedings in Chancery; but, unless something was done to reform the proceedings in the Master's office, sufficient relief would not be afforded.

Bill read 2ª.

House adjourned.

HOUSE OF COMMONS,

Thursday, February 24, 1848.

Minutes.] Public Bills.—1° Leases of Mines (Ireland); Game Certificates for Killing Hares; Exemption of Small Tenements from Rating.

Petitions Presented. By Mr. S. Davies, and other hon. Members, from several Places, against, and by Mr. Bond Cabbell, and other hon. Members, in favour of, the Jewish Disabilities Bill.—By Captain Archdall, from Fermanagh, and by Viscount Newry and Morne, from Newry, against the Jewish Disabilities Bill; and against the Diplomatic Relations with the Court of Rome Bill.—By Mr. Fagan, and other hon. Members, from several Places, against the Roman Catholic Charitable Trusts Bill.—By Viscount Castlereagh, from Downshire, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Viscount Castlereagh, from Downshire, against the Roman Catholic Relief Bill.—By Mr. Benjamin Smith, from Dunfermline, for Inquiry into the Excise Laws.—By Mr. Anderson, from the Shetland Islands, and by Mr. William Marshall, from Carlisle, for a Reduction of the Duty on Tea.—By Mr. William Brown, and other hon. Members, from several Places, for a Repeal of the Duty on Windows.—By Sir H. Ferguson Davie, from Haddington, for a Repeal or Alteration of the Bank of England Charter Act, and Banking (Scotland) Act.—By Mr. W. Marshall, from the Independent Order of Odd Fellows, Manchester Unity, Penrith District, and several other Benefit Societies, for an Extension of the Benefit Societies Act.—By Sir De Lacy Evans, from George Buzzard, of No. 50, Poland Street, St. James's, Westminster, for Compensation (Courts of Special and Petty Sessions Bill).—By Mr. B. Smith, from Inverkeithing, against the Present System of Education.—By Captain Archdall, and other hon. Members, from several Places, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Cowan, from Edinburgh, for the Repeal of the Game Laws.—By Viscount Ebrington, and other hon. Members, from several Places, in favour of Sanitary Regulations.—By Sir William Somerville, from the Eniscorthy Poor Law Guardians, for Alteration of the Law of Landlord and Tenant (Ireland).—By Mr. Nicholas Power, from the Physicians and Surgeons of the Dungarvon Union, for Redress in the Medical Profession (Ireland).—By Sir T. Birch, and other hon. Members, from several Places, for Retrenchment in the Naval and Military Expenditure.—By Mr. Grey, from North Shields, against the Repeal of the Navigation Laws.—By Sir William Somerville, from the Eniscorthy Poor Law Guardians, for Alteration of the Poor Law (Ireland).—By Mr. Edward Ellice, from William Ferdinand Wratislaw, of Rugby, in the county of Warwick, Solicitor, respecting Surcharges of the Post Office.—By Mr. Charles Howard, from Wigton, and by Mr. Osman Ricardo, from Worcester, for the Abolition of the Punishment of Death.—By Mr. Divett, from Exeter, respecting the Judicial Committee on Shipping Interests.—By Viscount Castlereagh, from Downshire, for Alteration of the Law on Spirituous Liquors (Ireland).—By Sir H. F. Davie, and other hon. Members, from various Places, for Inquiry respecting Turnpike Roads, &c., (Scotland).—By Mr. Mowatt, and other hon. Members, for Referring War Disputes to Arbitration.

THE WINDOW DUTIES.

Viscount DUNCAN* rose to bring forward his Motion for the repeal of the window duty; and in doing so he said that he was well aware of the objections and difficulties that might be thrown in the way of this or any other reduction of taxation at any time, but more especially at a crisis like the present. He had hoped, however, to have been anticipated, either by the noble Lord at the head of the Government, or the right hon. Baronet the Chancellor of the Exchequer, in the notice which he had placed on the Paper, because he had expected that, as the budget which had been lately laid before the House had (in the thirty-third year of peace in Europe) contained an augmentation of the property-tax, of not less than two per cent, that increase of taxation would have been substituted for certain other taxes, which he was prepared to prove pressed most grievously and most heavily on the middle and working classes of the people of this country.

* From a corrected report published by Ridgway.

No doubt he would be told that this was not the time to bring forward this Motion; but that did not shake his opinion as to the expediency of doing so, because he observed that time was the invariable pretext used by all Ministers opposed in their hearts to any troublesome Motion, but who had not the courage to say so openly.

The last time he brought this subject forward, he moved for a Committee of Inquiry; but, unfortunately for him, at that time Committees of Inquiry into the finances of the country were not so popular with the then occupants of the Treasury benches as they were now. On that occasion he was defeated, and, therefore, finding that inquiry was as much objected to as usual in similar cases, he had been emboldened now to bring forward a Motion for a full and complete repeal of the window-tax. He fairly owned that he threw himself upon the indulgence of the House in performing the task which he had undertaken. And he trusted the House would remember that a humble Member like himself, had not the same means of reviewing the resources of this country as were possessed by his hon. Friend the Chancellor of the Exchequer. Nevertheless, on looking over the taxes of this country, he thought he could find a substitute in the place of the window-tax, and he was ready to propose it for the consideration of Gentlemen on all sides of the House. It had been boasted that out of 3,500,000 houses in Great Britain, only 500,000 paid the window-tax. He was astonished that such a boast should be made, because the reason why so many houses were exempted was, partly that many houses belonging to wealthy parties had been exempted under various pretexts by various Ministers; partly that in a very great number of houses the number of windows in each had been reduced to seven, on account of the extreme pressure of the window-tax.

He had lately received a letter from Dr. Southwood Smith, a high authority on the subject; and in that letter the writer said, he did not believe that sanitary reform could be complete until the window-tax was abolished. He had received another letter from Mr. Byers, the president of the Carpenters' Society in London, and who had built a great number of houses, which were occupied by persons in the middle classes; and he stated that in houses of that description it often happened that washhouses, and privies, and other outbuildings, were erected without the proper means of ventilation. On account of the operation of the window-tax, Mr. Byers further stated that he had been employed upon nearly every house in Compton-street, Soho, to reduce the number of windows.

The history of the house-duty and window-tax, was worth the attention of the House. It was the history of a long series of struggles between the people of Great Britain, and their rulers, in which, he was sorry to say, the health of the people, and the architecture and ventilation of houses in Great Britain, had grievously suffered. The window-tax was one of a class of taxes particularly dangerous. It was so easy for a Minister to add a little from time to time to the window duties, almost imperceptibly, until by constant additions, the tax had become altogether oppressive and intolerable in the minds of a civilised people, and until the cup was filled to the brim, no one had been aware of the bitterness of the draught.

The first Act for levying duties on inhabited houses was passed in 1695, in the time of William III. This Act, like some of modern times, was only to continue for three years. The tax was 2*s.* on each house, except a cottage; 4*s.* additional upon houses with ten windows; and 8*s.* additional upon houses with twenty windows. This Act was augmented in Queen Anne's reign, and again in that of George I., windows being taken as the criterion of the value of a house. In 1747, Pelham passed an Act imposing a tax of 2*s.* per house. In the same Act a duty was levied of 6*d.* per window on houses with ten to fourteen windows; 9*d.* per window from fifteen to nineteen windows; 1*s.* per window on twenty windows and upwards. The preamble of this Act stated, "whereas the duty on houses has for some years greatly decreased, and the same appears still likely to diminish, owing to the attempts made to evade the tax;" and the next Act, in the year 1766, passed by Dowdeswell, again stated, "whereas said house and window duties have been greatly evaded." In 1785, an Act was passed to prevent smuggling in tea, and in consequence of a report of the Committee on illicit trade, Mr. Pitt proposed low *ad valorem* duties on tea, and to make up the deficiency in the revenue by substituting a heavier window-tax. Mr. Pitt introduced his Commutation Bill, and carried it, in defiance of the arguments of Mr. Fox, "that in spite of the absurd calculations of the Committee in respect to

the saving that the taking off the duty on tea, and the laying a tax upon air and light would be to the poor, he trusted that the House would reflect that a window was a necessity, and tea a luxury, and that tea and windows had no more to do with one another than bricks with horses or hats." Belsham said, "Owners both in town and country began to disfigure their houses immediately after the passing of this Act, by blocking up their windows." In 1797, came the Triple Assessment Act. Mr. Fox, who had absented himself from Parliament, was specially sent down to oppose this Act, but in vain. The Act passed, even Mr. Pitt regretting that it was necessary to proceed to such extreme financial measures, owing to the war; and thousands of windows were blocked up next day, and "Lighten our darkness, we beseech thee, O Pitt!" was chalked upon the vacant spaces. In 1802 and 1808 two more Acts were passed, augmenting the mischief. After these, there was a lull till 1822, when the present Sir John Hobhouse, then Member for Westminster, was defeated in a Motion for the repeal of the window duties. In spite of this, Mr. Robinson, the Chancellor of the Exchequer in 1823, finding the heavy window-tax could no longer be sustained in public opinion, had to take off half the amount of the tax. Then came the Act of Lord Althorp in 1834, taking off the house-tax; and in that Act there was a clause which specifically stated, that persons who had been duly assessed, should have the power to open as many windows as they pleased, free of duty; and many people took advantage of that Act by opening a great number of windows. But, unfortunately, in 1841, there was, as there is now, a deficiency in the revenue; and Mr. Baring, after putting 10 per cent upon the assessed taxes, had recourse to a re-assessment, in violation of Lord Althorp's Act.

The total number of Houses in Great Britain assessed to the Window-duties in the years previous and subsequent to Mr. Baring's Act for levying additional 10 per cent, were in the years ending April 1st :—

	Total Number of Houses.	Increase.	Amount of Tax.	Increase.
			£.	£.
1840	394,036	...	1,350,930	...
1841	450,913	56,867	1,613,308	262,378

In consequence of re-assessment, an increase of 56,877 houses; Paying additional tax of £262,378.

	Number of Houses.	Increase.	Decrease.	Amount of Tax.	Increase.	Decrease.
				£.	£.	
1841	450,913	...	...	1,613,308	...	...
1842	447,420	...	3,493	1,613,774	466	...
1843	446,108	...	1,312	1,615,263	1,489	...
1844	447,383	1,275	...	1,624,103	8,840	...

In number of houses ... Total decrease ... 4,805
Deduct increase...1,275

Total decrease in houses assessed in four years 3,350;
but increase in tax £10,795

It was the custom with persons to blockade their windows, so as to reduce the number to seven, and thereby free themselves from the window-tax; and if we looked to the number of houses at present with eight or nine windows, and compared them with the number of houses of a similar description in former times, we should see what a frightful state of things had arisen from the infliction of the tax. Total number of houses assessed in 1784, 413,515; ditto in 1845, 453,738. Therefore, in round numbers, there were only about 40,000 more houses assessed in 1845 than in 1784, in spite of the enormous increase in the revenue, wealth, and population of Great Britain (from 10,000,000 in 1784, to 20,000,000 in 1848), during that period.

The number of houses assessed with eight windows in the year previous, and subsequent to Baring's Act for imposing additional 10 per cent, also with nine windows :—

	Houses, 8 windows.	Contributing window-tax.	Houses, 9 windows.	Window-tax.
		£.		£.
1840	55,773	35,708	49,459	51,713
1841	62,808	51,594	54,241	56,726
Increase in 1841	7,125	15,886	4,782	5,013
Add 9 windowed houses...	4,782	5,013		

Total increase in one year, 11,907 houses, contributing £20,899 window-tax.

LOWEST CLASSES UNDER ASSESSMENT.

The total number of houses with eight, and also those with nine windows, assessed.

Houses, eight windows.	Decrease.	Window-tax.	Decrease.
1841—62,898	—	£51,594	—
1842—59,032	3,866	48,418	£3,180
1843—56,765	2,267	46,452	1,862
1844—55,692	1,073	45,776	876

Total dec. in 4 yrs, 7,296 houses
Decrease in tax, on small houses. . . £5,918

Houses, nine Windows.	Decrease.	Window-tax.	Decrease.
1841—54,241	—	£56,726	—
1842—53,823	418	56,279	£447
1843—52,804	19	56,260	19
1844—53,781	23	56,238	22

Total dec. in 4 yrs. 460 houses. Dec. in tax £488
Add, with 8 wind. 7,296 ... Ditto ... 5,918

Grand total decrease in 8 and 9 windowed houses in 4 years... 7,656 Window-tax...£6,406

Another frightful instance of blocking up windows to evade the tax.

Houses with eight windows assessed. Extracted from Porter's Tables.

Number of houses.	Eight windows lowest class chargeable.
In 1828—56,371	
In 1829—56,162	
In 1830—57,564	
In 1831—58,777	
In 1832—59,457	
In 1833—59,093	
In 1834—48,267	Diminution caused by Lord Althorp's Act exempting farm-houses, &c.
In 1835—52,997	
In 1836—Account lost	
In 1837—52,781	
In 1838—53,739	
In 1839—54,553	
In 1840—55,753	
In 1841—62,838	Mr. Baring's re-assessment and 10 per cent additional.
In 1842—59,032	
In 1843—56,765	
In 1844...55,692	

There was a mistake made with regard to the window-tax, namely, as to the mode in which the windows were taken as the criterion of the value of a man's house. They might as well take the buttons on his coat as a criterion of the value of what was in his pocket, as take the number of windows in a house as a criterion of the value of the property in it. He begged to call attention to the gross inequality of the window-tax in the metropolitan districts:—

Berwick-street, Soho—No house in it rated at 200*l.* a-year, pays . . £483
Poland-street, Soho—No house in it rated at 200*l.* a-year, almost all houses rated at 40*l.*, 50*l.*, and 60*l.* per annum, pays 415

Total Berwick-street & Poland-street pay £898

St. James's-square—No house rated under 100*l.* per annum, houses generally rated at 500*l.*, 750*l.*, and 1,000*l.* per annum, pays £669
Berkeley-square—No house rated under 90*l.*, most houses rated at 500*l.*, 750*l.*, and 1,000*l.* per annum, pays . 712
Grosvenor-square — No house under 300*l.* per annum, most houses at 750*l.* or 1,000*l.*, pays 983

Berwick-street (Soho)	Only 1 house rated so high as 150*l.* a-year, pay ...	483
Broad-street (Westminster)		332
Poland-street		415

£1,220

Piccadilly, without a house rented under 70*l.*, and some houses as high as 1,000*l.* and 2,000*l.* a-year, pays only 1,791*l.*

Five hundred and three rich houses in Oxford-street pay 2,310*l.* window-tax, average 4*l.* 11*s.* per house.

Ten small houses in Dufours-place pay 78*l.* window-tax, average 7*l.* 8*s.* per house.

Forty-nine small houses in Broad-street pay 332*l.* window-tax, average 6*l.* 15*s.* per house.

In Porter's tables (up to the 5th April, 1845), in the account of all the houses in Great Britain which contribute to the window-tax, he gives a list of houses, by which it appears that the tax amounts to 1,647,305*l.*, of which—

The houses under fifteen windows contribute 544,000*l.*, or one-third of the total amount.

The houses under twenty windows contribute 854,435*l.*, or one-half the total amount.

The houses under twenty-four windows contribute 1,028,000*l.*

The houses under fifty-five windows contribute 1,500,000*l.*, or two-thirds of the amount.

Leaving about 147,000*l.* to be contributed by the larger houses. He felt that any person must be astonished who referred to the little book which he held in his hand, and which was called the *Assessor's Warrant*. The first point that struck him was the number of exemptions from this tax. As usual Ireland figured at the head of the list of exemptions; but, unlike his modern successors, Mr. Robinson had given a good reason for exempting Ireland. Ireland had been exempted because,

as stated by Mr. Robinson in 1821, "the impoverished inhabitants of Ireland, to avoid the additional tax, had resorted to the miserable expedient of stopping up their windows, and thereby rendering their houses dark; but in England no such effect had been produced by the window-tax." They next exempted all the public offices from the window-tax, and therefore the gentlemen who enjoyed themselves in public offices might open as many windows as they pleased. The next exemption consisted of all farm-houses under 200*l.* a year in the country districts, not in the town districts. The next exemption was brought in by Lord Althorp, who was an agricultural Chancellor of the Exchequer; and the agricultural interest in those days was stronger than the agricultural interest at present. Lord Althorp brought in an Act exempting windows and lights in dairies and cheese-rooms. The windows in factories were also exempted. There was a certain body in Great Britain which seemed always ready, as far as they could, to follow the example set by the people of Ireland—he alluded to individuals connected both with the law and the Church. He found that the chambers in Oxford, Cambridge, and Lincoln's Inn, were each charged as separate dwelling-houses. That was not the case as related to poorer houses, which were assessed to the window-tax—the different apartments were let separately, but the tenements were charged collectively as a house; consequently, three sets of chambers in the Inns of Court, &c., with seven windows each, were not chargeable, but a house inhabited by three families with seven windows each paid for twenty-one windows upwards of 6*l.* a year. He would now call attention to the manner in which the law was carried into effect in various parts of the country. No window or light in any dwelling-house could be stopped up except it should be effectually done with stone or brick, or the same kind of materials whereof that part of the outside walls of such dwelling-house does consist. No window, for instance, in a brick house could be stopped with wood. It appeared that some persons, ignorant of the law, had stopped up their windows with mortar instead of brick, and he begged to refer to some cases to show what was the result. Amongst them was the case of Hugh Evans, who had closed up seven windows with lath and plaster, instead of with stone; but after having done so he was still charged for those windows, and for those windows he had to pay. He might add that cases of this kind were perfectly innumerable. There was another great grievance to be complained of, namely, that the Act of Parliament did not specify what a window was; and Professor Scholefield, of Cambridge, had to pay for a hole in his coal-cellar, used for shooting coals through; Mr. John Hatch, of Soham, near Newmarket, was found liable to pay as a window for similar hole in his coal-cellar; Mr. Gregory Gragoe, toyman, Parson-street, St. George's, Westminster, was charged for having under the stall-board of his shop an opening into his cellar, which opening is supported by iron bars, but unglazed. He was also charged for a hole in the wall of his back cellar, of the dimensions of eighteen inches by fourteen, likewise unglazed. The judges were of opinion that Mr. Gragoe was liable to pay for each hole as a window accordingly. So that if a brick fell out of a wall, and provided the light came through, any man might be instantly surcharged by the assessors not only for one additional window, but, provided the windows in his house were below the magic number 40, he might be surcharged for every window in his house owing to the extra number.

This tax was collected in a very different manner from the other assessed taxes. In other cases a rich man was trusted to set down how many servants, carriages, or horses, he had, and for these he was charged; but with regard to windows, a poor man was not asked how many he had; and if he had the misfortune to live at a time when a Chancellor of the Exchequer like Mr. Baring took it into his head to renew the assessment, he might find that he was called upon to pay for more windows than he ever knew he possessed. Another grievance was, that all skylights, however constructed, were liable for payment; and thus apertures of all kinds, from double or triple windows, down to openings of half an inch wide, were or might be included.

He had heard a great deal of the distress in the country, and he could assure the right hon. Gentleman the Chancellor of the Exchequer that communications on this subject had reached him from persons in the glass trade. It was stated, in a letter from a friend of his in the glass trade (Mr. Swinbourne), that a great part of the community feel no benefit from the reduction of the duty on glass, and that the poor man got no more air or light than

before, because the builder had the fear of the assessed taxes before him, and consumed the smallest modicum of glass he could. He might mention the case of one individual who was about to put a glass top to a house, but so much afraid was he of the bill that would be sent in to him for the assessed taxes, that he refrained from doing so. It was said that the houses of the poor were exempt from the tax; and true it was they were, until they came up to a house with eight windows. The charge per window, in a house with eight windows, was 2*s.* 3*d.*, and then it mounted up until it came to the number of forty, the charge per window for a house with forty windows being 7*s.* 6¾*d.* Then the scale began to descend, and went regularly downwards, until it came to the number 179. He (Lord Duncan) did not like sliding-scales, and thought they had gone out of fashion with the corn laws. Now, he would come to part of his plan—if he might call it by that name—to which he should beg to call the patient attention of the House. It was that part of the plan by which he meant to propose something, as a substitute for this odious and obnoxious tax on light. The House would recollect that the Army, Navy, and Ordnance Estimates in the year 1825 amounted to 15,310,000*l.*; in 1835, 11,600,000*l.* was deemed sufficient; in 1845, 15,664,000*l.*; in 1846, 16,864,000*l.*; and in the financial statement which he had the pleasure, or rather the pain, to hear explained the other night to the House, the estimates for the year 1848 were calculated to amount to 18,957,000*l.* Now, if his right hon. Friend would in this time of peace merely ask the same sum for the Army, Navy, and Ordnance that was required in 1846, he could at once take 2,000,000*l.* off the estimates, which would enable him to grant the repeal of the window-tax. However, that was not the plan he meant to propose: in making that suggestion, he merely wished to show that if his right hon. Friend were anxious to do what he (Lord Duncan) required, how it could be done in a most popular manner; however, he only mentioned this to show that by such a course the window duties might be got rid of.

He had listened the other evening most attentively to the statement of the noble Lord, and he heard from him that he estimated the whole amount of the expenditure for the following year at 54,750,000*l.* The increase in the service estimates was, for the Navy, 164,000*l.*; Army, 43,000*l.*; Ordnance, 245,000*l.*; while for militia there was a sum of 150,000*l.*—making on the whole an increase of 600,000*l.* Now, he should propose and assume that his right hon. Friend having carried the property-tax and the rest of the budget, should take the same estimates as last year, and then there would fall to be deducted a sum of 600,000*l.* Next, he would cut off the squadron employed on the African coast for the suppression of the slave trade, and he found this expenditure amounted to 300,000*l.*; so that with these two sums they had 900,000*l.* The next proposal that he would make was, that in place of the 5,000 additional soldiers coming home from India, the Government should furnish the metropolitan police force with muskets. He did not wish to make them soldiers; but he thought that in the event of the French coming over, it would be of great use to have such a large armed force in the metropolis; while the troops from India, on their arrival in their own country, could be allowed to repose on their laurels. In this case, then, there would be a reduction of 100,000*l.*; altogether making 1,000,000*l.* He would now come to an important part of the plan which he recommended. He had shown how they could retrench 1,000,000*l.* by various modes of economy, and he would now point out how they could raise an additional 600,000*l.* His attention had lately been called to a report of the Commissioners of Woods and Forests; and he must say that that document had struck him with unmingled astonishment; for the revenue of the woods and woodlands was there stated at 44,245*l.* 13*s.* 10½*d.*; the expense of management at 35,839*l.* 7*s.* 4*d.* In what he was about to propose to the House, he felt it his duty at once to say that he would not include the Royal palaces; for, considering the gracious bearing of Her Majesty on all occasions of public distress, and the readiness with which Her Majesty, when the budget of 1842 was brought forward, had graciously signified Her intention of spontaneously taking upon herself Her share of the public burdens, he trusted he should be the last man in Her dominions to make any proposition for interfering with the Royal palaces or domains. He would, however, direct their attention to that portion of the property under the charge of the Commissioners of Woods and Forests called the outlying property; and the greater part of that he would dispose of. The property he alluded

to was the following: New Forest, New Park, and Parkhurst Forest; Dean Forest, and High Meadow Woods; Bere Forest, Delamere Forest, Whittlewood Forest, Salcey Forest; Wychwood Forest; Hainault, or Waltham Forest; Alice Holt and Woolmer Forests; Eltham Woods, and Chopwell Woods—the last being a somewhat ominous name. When he came to see how these forests were managed, he must say he was not surprised that in the article Crown lands the revenue had fallen from 120,000*l.* to 60,000*l.* per annum.

He had in his hand a return relative to the New Forest, which might be taken as a specimen of all the others. These lands were all lying waste—complete deserts—without a single plough turning up an acre of land. There was a return ordered of the amount of timber supplied for the Navy; but from the year 1840, down to 1847, the return was uniformly *nil*. Then, when he looked at the income and expenditure, he found that the income in 1821 was 17,562*l.* 10*s.* 6*d.*, but that it had diminished in 1847 to 9,026*l.* In 1821, the expenditure was 8,165*l.*; and in 1847 it had increased to 10,495*l.*, being 1,000*l.* more than the income in that year. There was a decrease in every item except the article fat bucks. That article was the exception. He congratulated the House that a considerable increase had taken place in the number of fat bucks furnishing official venison; between 1844 and 1846 the mortality amongst the fat bucks had been doubled, according to the return he held in his hand, printed by authority of Parliament. Then there was such a number of people to manage these forests — these luxuries so carefully preserved. There were for the New Forest, one lord-warden, thirteen master-keepers, including several Members of Parliament; four verderers, two rangers, one bow-bearer, one lord-warden's steward, one deputy-surveyor, one assistant-deputy, eleven regarders, fourteen groomkeepers, &c. Among other expenses, he found that a dinner, at the public expense, was provided for the verderers, and other officers, on the 14th of September of each year; and that another dinner was given to about fifty other people connected with the forest. Now, he asked if it was not contemptible to keep up such a state of things as this? [Colonel Sibthorp: Hear!] He was glad to hear that cheer from his gallant Friend, and he knew that he would be prepared to do his duty, and to speak out manfully, as he always did, upon this question. He hoped that there would be a searching inquiry into this matter; but, for God's sake, let them have no Commissioners to discharge such a duty. He had no hesitation in saying that if a portion of these lands were brought into the market, they would realise a sum not less than 600,000*l.*, and if that were added to the sum of 1,000,000*l.*, which he had already shown could be saved, they had a round sum of nearly 1,600,000*l.*, the exact amount of the window-tax. He would call the attention of the noble Lord (Lord Morpeth) to the miasma which prevailed in this great uncultivated waste of land, which stretched like a *cloaca maxima* over the country, spreading disease and death among the people: and he thought that even in this point of view the subject was not unworthy the attention of the noble Lord, who was particularly the Minister for public health. It was his duty again to warn the noble Lord that a Sanitary Bill could not possibly give satisfaction in this country so long as this window-duty was kept up, which pressed so heavily on the working and middle classes of England. He recollected that when he first brought forward this subject, he was met by the then Chancellor of the Exchequer (Mr. Goulburn) with the question, whether he was able to produce any sanitary report bearing upon the point. He had sanitary reports in his possession which bore strongly upon the question. In a report from North Shields, he found it stated that the number of windows was greatly diminished by the window-tax, and that arrangements for ventilation were thereby interfered with. Next, with regard to Sunderland, the committee of Sunderland stated it was their unanimous opinion that the blockading of windows, through the anxiety of owners of houses to escape payment of the tax, had very greatly aggravated, and, in the opinion of the committee, had in some instances been the primary cause of sickness and mortality. He next called attention to the statements made on the subject by Dr. Reid, and also by Mr. Martin, one of the Health of Towns Commissioners sent round to inquire into those abuses. Dr. Reid had given a strong opinion as to the effect of the tax in limiting the number of windows among the dwellings of the poor; and Mr. Martin had also pointed out, in his report, how much it interfered to keep out light and air from the houses of all classes by the blocking up of windows. He, for one,

could not be indifferent to the blocking up of windows that was stifling the manly spirit of the working classes in the northern parts of the kingdom, because he trusted he never should forget that it was an inhabitant of this very town (Sunderland) James Crawford by name, who, when an ancestor of his had his colours seven times shot away, actually clambered up the stump of the top-gallant-mast head of the *Venerable*, on the 11th of October, 1797, with a hammer in his hand, and nailed up the colours of England in proud defiance of a threatened invasion. Invade England, indeed! Who talked of apprehensions of a threatened invasion? Was it a Russell—a descendant of the Admiral Russell who fought at La Hogue, in the presence of an exiled monarch, who had inadvertently exclaimed, "None but my English subjects could board in that gallant style?" Invade England indeed! Is this the country that successfully withstood the Spanish Armada—the Bourbon compact—Napoleon in the zenith of his power, and which till last week was the envy and admiration of the world? Is this the land that produced those gallant crews who mounted the rigging and cheered to a man, on going into action at the Nile and Trafalgar, because they had found their enemy? Is this the country that has rendered illustrious every cape on the continent, from Trafalgar and St. Vincent, as far northward as Camperdown; and almost every shoal amongst which our admirals have been forced to run, in order to find those who are now represented as being, with a fleet numerically far inferior to ours, about to menace England with a foreign invasion? For one, he had no fear of there ever being a naval battle fought so near our own coast as to deserve the name of the battle of Flamborough Head, or the battle of Spithead. He would exhort the noble Lord—he hoped he did not do so in vain—to forget his apprehensions and recollect his principles—the principles of reform and retrenchment, of which he had so long been the consistent and able leader; those principles had placed him in power—and in a position to husband the resources of the middle and working classes of England against the day of trial. Let him increase the comforts of English homes by diminishing in time of peace the taxes on light and air. Let him give his countrymen something to fight for, and if, which God avert, war should ever again be proclaimed between this country and our high-spirited neighbours in France, let him but hoist the signal "that England expects every man to do his duty," and it will be well, widely, and cheerfully obeyed. He appealed to the sympathy of the noble Lord—to the sympathy of his Irish supporters: when Ireland was in distress, the inhabitants of Great Britain did not grudge them the money—the poorest of his countrymen contributed his mite, in the shape of window-tax, and every other tax, to that unparalleled sum which our generosity has nearly ruined us by giving. And, lastly, he ventured to make an appeal to that Divine Providence, which in creating light and air, before it created either food or man, and which by affording that light and air in unlimited quantities, has proved that, except every other luxury in the country is taxed beyond endurance, it is almost sacrilege for any man to continue those cruel impolitic taxes which he had endeavoured to denounce.

> "O Lord of light and air,
> O King, O Father, hear my humble prayer,
> Dispel this cloud—the light of heaven restore—
> Grant us to see, and England asks no more;
> If we must perish—we'll thy will obey,
> But let us perish in the light of day."

The noble Lord concluded by moving—

"That leave be given to bring in a Bill for the total repeal of the Window Tax."

Mr. HUME seconded the Motion. It was a rule laid down by all political economists, that that tax which was subject to the greatest amount of exceptions was the worst that could be imposed. The right hon. Gentleman (Sir R. Peel), two Sessions ago, proposed the abolition of the auction duties; mentioning as a specimen of the law, that the amount received was the exception to the amount collected. Only 20*l.* out of 100*l.* collected, he believed, reached the Exchequer. The right hon. Baronet showed that there were eighteen different kinds of property exempted from this tax. What was the case of the window-tax? In the first place, Ireland paid no part of it. It was a tax upon England and Scotland alone, and whilst we had to pay additional taxes for the support of Ireland, that country was exempted from this tax. That of itself ought to be a strong reason for its repeal. It appeared also that houses below a certain rate were exempted. He believed that about three-fourths of the houses were free. Did not that show that it must be a grievous tax to call for all these exemptions? When the House interfered by their taxation with the health

and comfort of the people, the result must necessarily be disastrous. The time was come when there must be a reform in our system of taxation. He considered this to be one of the most mischievous of taxes; and one of the grounds for his seconding the Motion of the noble Lord was that he might show the country, by the division which would take place upon it, who were, and who were not, friends of the poor. He wanted to see how those hon. Members would vote who were usually loud in their desire for the improvement of the moral and religious character of the country, for he held that until you could place the mass of the people in an adequate state of physical comfort, a large portion of the expenditure for moral and religious purposes would be utterly lost. He agreed with the noble Lord that the Royal forests were a burden to this country, and ought to be sold. It was the duty of the House, when the trappings of Royalty became expensive and pressed upon the wants of the community, to take measures for abridging them. He felt very serious on this point; and he assured the House that these were not the times for trifling on such subjects. The House ought to look at the situation of the mass of the people, and try to reduce their burdens to an extent which would afford them real relief. Taking off a trifle here and a trifle there, would not answer the purpose. The public expected greater relief, and they looked to the Government to give it to them. He hoped the division to-night would show that a large portion of the House was favourable to the repeal of the tax then under consideration.

Colonel SIBTHORP had sincere gratification in supporting the Motion of the noble Lord, and he cordially thanked him for the manly course he had taken in opposition to the Ministry. He fully agreed with the noble Lord, that if they were to institute a searching inquiry into the abuses of their expenditure, retrenchments might be effected to an extent that would enable them to get rid of this and many other taxes. But this would be attended with considerable trouble and inconvenience, and the Government would of course resist it. There was a total indifference on the part of Government as to what became of the people, so long as they filled their own pockets and enjoyed their own comfort. With respect to the window-tax, if it was to be maintained, it ought not to be put upon the dwellings of the poor, but upon the mansions of the rich. The Government offices ought to be made to pay. The gentlemen who were revelling in Downing-street, whose houses were furnished, for aught he knew, out of the secret service fund, and who gave dinner after dinner to each other, ought to be made to pay. He would have this secret service fund examined into also. The very word "secret" carried with it a suspicion that something was going on that ought not to go on. He should not be surprised to hear that some of it had gone to the case of Dr. Hampden. He repeated that he would cordially support the noble Lord in his present Motion, for he considered it as at present levied to be a disgraceful, dirty, shabby, and unconstitutional mode of raising money.

Sir DE LACY EVANS wished to say a very few words in support of the present Motion, for he felt it was unnecessary to do more after the able speeches made by the noble Lord on this subject, not only then but on former occasions; and more especially as the unjust and oppressive nature of the tax was so self-evident. The Chancellor of the Exchequer had not yet risen; but he (Sir De Lacy Evans) had listened to his predecessors on former occasions, and he had never heard from them anything approaching to vindication of the justice of this tax. He knew very well that it was often alleged, in a vague and general way, that there was no tax whatsoever but some particular grievance or objection might be brought against it. But he took leave to say that this did not apply to the present case—for whether they looked at it individually or generally, it was absolutely indefensible. The humbler classes were made to pay at the rate of 20 or 30 per cent, while the opulent classes paid only 1, 1½, 2½, or 3 per cent. Could such a tax as that be defended? He agreed with the noble Lord regarding the Royal forests. The country derived no sort of advantage from them whatsoever. Some 800 or 500 years ago they were a luxury to the Monarch; but for hundreds of years they had been merely deserts, as the noble Lord had said, except in regard to furnishing some snug berths for members of the aristocracy and the humbler supporters of the Governments which had succeeded each other from time to time in this country. Among the items of expenditure brought forward by the noble Lord (Lord J. Russell) to show the necessity of increased taxation, were the expenses of the Caffre war; but it ought to be remembered

that this item appeared only for the present year, and was not likely to be repeated. He firmly believed that the people of this country, notwithstanding the temporary distress—for temporary he believed it to be—which pressed upon the community, and which at present threw a gloom upon the operations of commerce as well as other matters—he believed that notwithstanding these circumstances the great body of the people were perfectly willing to contribute to the necessary expenses of Government; and that they were also capable of supplying the means of those expenses. It was not the amount of these expenses which created the annoyance and irritation on the mind of the public, so much as the unjust and unequal distribution of the taxes. Nothing had so much tended to produce the French revolution—he spoke of the first revolution, not of the present one—as the conviction on the part of the people that their fiscal burdens were unjustly and unequally distributed. He would suggest a small addition to the budget for the consideration of the right hon. Gentleman the Chancellor of the Exchequer—he meant the probate duty on real property. There was scarcely any item of taxation, the omission of which had had a stronger effect on the feelings of the people than this. It was felt to be unjust that the hardly-earned produce of industry should repeatedly and constantly, and in the small amounts in which it was realised, be subjected to a heavy probate duty, while the transmission of the property of the great and wealthy paid no tax of a similar nature. He trusted that this subject would receive the early and serious attention of Government.

The CHANCELLOR OF THE EXCHEQUER: I don't know that the office which I have the honour—however unworthily—to fill, is at any time remarkably agreeable. It is certainly, however, as disagreeable an office as any one can possibly occupy when the country is suffering distress, and when it is my painful duty—however reluctantly—to increase taxation. On the present occasion I have another painful duty to discharge in resisting the remission of a tax which has been described to-night in no very measured terms as odious and vexatious. I confess that I think that the proposition to repeal the window-tax, or, indeed, any tax at present, was sufficiently answered by the speech of my noble Friend (Lord John Russell) the other night. When my noble Friend was called upon unwillingly to propose to the House additional taxation to the amount of 3,000,000*l.*, I think it would be unwise if we were to part with the window-tax. There is an old fable, that we can bear the burdens we have been accustomed to more easily than we can bear the imposition of new burdens; and surely those who are anxious to avoid fresh taxation can hardly ask us, in our present circumstances, to give up a tax which yields about 1,600,000*l.* or 1,700,000*l.* a year. When I look at the Notice-paper, I find various hon. Members struggling for the revision of taxation; but they are not all of them quite so kind as my noble Friend in proposing a substitute. But I must say, when my noble Friend accuses us of being spendthrifts, that his proposal of disposing of our capital (by the sale of the Royal forests) is by no means the most thrifty mode of dealing with our property. I think it right also to state, that the offices in connexion with the Royal forests to which the noble Lord referred, are mere honorary appointments. The House would naturally suppose, from the statement of the noble Lord, that these great personages were a heavy charge upon the public revenue; whereas he might have told the House that the return of their emoluments, like the timber to which he referred, was—*nil.* With regard to timber for the Royal Navy, the noble Lord supposes these forests are of no use whatever; but the fact is, that at the present time, when the whole world is open to us, timber is imported from abroad. The chief expense incurred is in enclosing and protecting those plantations, which will hereafter, as in former days, insure a good supply for the Navy when foreign timber may not be so accessible. This is the object for which the forests are kept up, not to be useless appendages of Royalty, as the noble Lord described them. The noble Lord now proposes to repeal the window duties; and the third Motion, lower on the Notice-paper, to be brought forward to-night by an hon. Friend of mine (Mr. Ewart), contemplates the abolition of the excise duties on paper, soap, and bricks, and of the duties on butter and cheese, and the reduction of the duties on tea, tobacco, and wine. Now, really, Sir, in the present state of our finances, these propositions are not a little serious. I must mention the produce of these various duties. The window duties and those on paper, soap, bricks, butter and cheese, yield to the revenue in round numbers

4,000,000*l.* a year. The usual proposition for reducing the duty on tea is from 2*s.* 1½*d.* to 1*s.*, on wine to 2*s.* 6*d.* per gallon, and on tobacco from 3*s.* to 1*s.* per pound. The produce of these duties is upwards of 11,000,000*l.*, and taking the proposed reduction to be about one-half, it would occasion a loss of revenue of more than 5,000,000*l.*; to which we must add the 4,000,000*l.* of loss from the repeal of the first-named duties, making in all a sacrifice of no less than 9,000,000*l.* I appeal to the common sense of hon. Members whether in the present state of our finances, the proposal now submitted, and the others about to be submitted by my hon. Friend (Mr. Ewart), are practicable, or such as any Government could think of acceeding to? My hon. Friend the Member for Dumfries has, to be sure, a proposition to substitute for the duties he would reduce and repeal, a system of direct taxation on realised property; that is, on all property under schedules A and C, now producing about 3,000,000*l.* In order, therefore, to obtain an amount equal to what it is proposed to give up, the hon. Gentleman must quadruple the present amount of taxation on these two schedules—a proposition which even those most enamoured of a tax on realised property may well view with alarm. Objections have been urged to the mode in which the window duties are levied. Sir, when it is said that this is one of those taxes which exclusively press on the poor, I must take the liberty of altogether denying the statement. We have been constantly told during the last four or five years by those who seek the repeal of duties most onerous to the humbler classes, and I admit there is considerable truth in the argument, that the most advantageous mode of benefiting the poor is to take off the taxes on corn and the necessaries of life, and to impose direct taxation, which is conceived to press more on the richer classes; and yet we have heard to-night Gentlemen who have always advocated this course insist that the window duty, which comes nearer to a property-tax than any other now existing in the country, should be remitted for the benefit of the poorer classes of the community. The hon. Member for Montrose objects to the tax because there are so many exemptions. What are those exemptions? They are invariably in favour of the poorer orders. Speaking generally, of 3,500,000 houses, only 500,000 are subject to the window duty; 3,000,000 being exempt. What houses are exempt? Not those of the nobility and gentry, but the smallest description of houses occupied from one end of the country to the other by the poorest classes. I don't mean to say that there are not houses with fewer than eight windows inhabited by persons of property; it is impossible to deal with two or three exceptional cases. The lower class of houses, in which the poor reside, are exempt from this tax; therefore, to call it a tax imposed by the wealthy on the poor is a most extraordinary perversion of the real facts of the case. The exceptions are almost invariably in favour of persons who do not beneficially occupy the houses. My hon. and gallant relative (Col. Sibthorp) would put the window-tax on public offices; but what would the public gain by that? I should have to propose, in the Miscellaneous Estimates, a sum of money to pay a tax on the windows of the Treasury, where the clerks sit at their duty; we should thus be paying from one hand to another; nothing could result from such a ceremony but inconvenience, and possibly some loss in the transfer. To suppose that the public would gain by the process, is the most preposterous idea ever propounded by my hon. and gallant relative. The noble Lord talked of the exemption of agricultural houses; but all buildings occupied for the purposes of trade and manufacture are also exempt from the window-tax. That, again, is an exemption in favour of the industrious classes: those only pay who inhabit dwelling-houses with eight windows or upwards. The noble Lord also spoke of the extraordinary amount raised on the lower description and the small amount raised on the higher class of houses. Why is it so? Because the lower class is greatly more numerous. Of the 500,000 houses in the kingdom subject to the tax, there are 314,000 with fifteen windows and under. If you mean to tax only the large houses of the rich, you will have very little produce from your taxation. If it be necessary to raise a large amount of taxation, you must levy it on a large number of persons. If you confine your tax to a small number at the top of the tree, the produce of it will be very small, even if you increase your impost to confiscation. The noble Lord, speaking on the subject of the window duties, referred to the arguments urged in 1833 in favour of the repeal of the house-tax, as if that pressed most heavily on the richer portion of the

community. There cannot be the slightest doubt that the window-tax, taking town and country together, bears most severely on the higher classes. Referring to-day to the returns connected with the inhabited house duty, I find that the houses of the nobility and gentry paid much less in house-tax than in the window-duty. The house in which I myself live in the country pays 32*l.* for window-duty, whereas the house-tax was only 14*l.* I should, therefore, have benefited twice as much if the window-tax had been removed, as I benefit by the remission of the house-tax. There is, no doubt, considerable objection to this tax; and if there were any other mode of raising the same amount of duty, I should be exceedingly glad. I have been in communication with the Chairman of Stamps and Taxes and the officers of that Board, and we have had under consideration various schemes for improving the mode of rating to the window-duty, and removing the objections which I admit there are to it; but my noble Friend and the deputation that waited upon me some time ago said, that to amend the scale, and to put an end to the inequalities that existed, would be of no use; and although I did venture to ask whether they preferred the tax levied in another way, I could not discover that they had any such proposition to make. Their only proposition, and the only one made in this House, is the absolute repeal of the tax; but that is one which, in the present state of the finances of the country, however painful it may be not to take off a tax to which so strong an objection is made, I feel it to be my duty to oppose.

Mr. ROUNDELL PALMER said, it was absolutely impossible in the present state of the revenue of the country, and after the alarming statement of the right hon. Gentleman the Chancellor of the Exchequer, that he could vote in favour of the Motion of the noble Lord; but at the same time he had no hesitation in saying that if the Motion of the noble Lord had assumed a different form, and a resolution had been submitted to the House, that it was desirable in the opinion of the House that this tax should be repealed at the earliest opportunity, he should have felt it his duty to vote for that proposition. He wished also to express the feeling that he very strongly entertained, in common with many of those with whom he had communicated on this subject, that notwithstanding what had fallen from the right hon. Gentleman the Chancellor of the Exchequer, this tax was the most objectionable of all taxes remaining unrepealed. He was one of those who wished to see the taxation levied on articles of universal consumption repealed or reduced, or, if possible, replaced by direct taxation. But what he understood by that was, that it should be replaced by such direct taxation as approached as nearly as any taxation could to an *ad valorem* tax on the property of the country; of which they had at present one example in the case of the income-tax, though that was not so perfect as it might be made if pains were taken to make it so. He had no hesitation in saying that he very much preferred continuing, if necessary, the inconvenience of the income-tax, which did not immediately fall upon the great body of the people, to levying a large revenue by taxes on articles of universal consumption. But that was no reason why they should adhere to the old, fallacious, clumsy, most unsatisfactory habit of levying a number of *quasi* income-taxes, which were not, in fact, income-taxes—which were not levied on any principle of equality or justice—and which were felt by those who had also to pay the income-tax to be a great aggravation of the burden of that tax. While he was in favour of the principle of an income-tax, he was in favour of its being so levied as to interfere as little as possible with the natural courses of the labour and industry of the country. When they levied a tax which was intended to be a species of income-tax, whether upon windows, or other things of the same nature, which involved the application of capital to the employment of labour, it appeared to him that they fell into a great error. If their real object was to lay an *ad valorem* tax on property, would it not be better to do it directly, than by a mode which interfered extensively with the manufacture of glass and the mode of building houses? It seemed plain, that if they imposed this duty on the principle of an income-tax, they ought to make it so exclusively; if it were upon any other principle, let them know what it was. And then as to its gross inequality—it totally failed of anything like an approximation to an *ad valorem* duty. He held in his hand a return moved for last Session of the towns paying the largest amount to the window duty, and he found that Plymouth paid 11,326*l.*, whilst Leeds paid only 7,789*l.*; and yet he would venture to say that Leeds had

much more than ten times the wealth of Plymouth. Again, it might be reasonable, in laying on the income-tax, to make retired officers, and gentlemen of small incomes who resided in such a place as Plymouth, bear their fair proportion; but it was preposterous to make them pay one-third more for a window-tax in the nature of an income-tax than the rich manufacturers who resided in Leeds. He found, that of all the towns in the kingdom, Plymouth stood seventh in the return. The window-tax was not only open to all the objections to which an indirect attempt at approximation to an income-tax was liable; but there was also this special objection to it, that it interfered with the health of people of just the class whom they ought most to consider—those who inhabited not the very worst species of houses, but the next class above them. It tended to induce artisans and persons of that class to live in miserable places where their health was sacrificed, instead of going to reside in the improved kind of houses for which the noble Lord the Member for Bath was so useful and honourable an instrument in endeavouring to promote a taste amongst the people of this country. In proportion to the exertions to improve the dwellings of the labouring classes, and in connexion with the measures of sanitary reform proposed by the Government, they ought to be desirous that this tax should be repealed at the earliest opportunity.

Mr. WAKLEY: The hon. and learned Gentleman has made a very excellent speech against the window-tax; and how that hon. and learned Gentleman can have the firmness to resist the influence of his own arguments, and vote against the Motion of the noble Lord, I am at a loss to understand. The hon. and learned Gentleman stated a special case. Many Members of this House are influenced by the general principle involved in the question; but the hon. and learned Gentleman finds, from a return laid on the table of the House, that his town pays 12,000*l.* to the window-tax, whereas Leeds pays only 7,000*l.*; and yet Leeds has ten times the wealth of Plymouth. The hon. and learned Gentleman is the representative of the oppressed and injured people; and yet the unfortunate electors of Plymouth are to find the vote of their representative recorded against the Motion of the noble Lord. It puzzles me to know of what use representatives can be, if this is to be the mode in which they act. It is very discouraging to those who send Members to this House, but it is peculiarly encouraging to the Chancellor of the Exchequer. The right hon. Gentleman commenced his speech by speaking of the unfortunate and unhappy office he held. I hope now he is more comfortable. He certainly ought to be relieved from a great deal of his difficulty on finding the hon. and learned Gentleman, who is remarkable for the power of his intellect and his acuteness of perception, get up and make an admirable speech against the window duty; and when he is about to sit down, declare that he is going to vote against the Motion for the repeal. A strong dose of chloroform could not have made the Chancellor more easy. I do not know how the electors in Plymouth will feel, but the public to-morrow will feel no disappointment at the rejection of the noble Lord's Motion. All hope of retrenchment from the present Administration is gone. I am sorry to say it, but my conviction is that there will be no retrenchment from them. The public were looking with great pleasure and satisfaction upon the Government of the noble Lord. I never saw the community exhibit more good-will and forbearance towards any Government than towards the present Administration. I do not know how it has happened, but the public had a great respect for the Ministry; they seem to have had the most perfect reliance on the noble Lord, and to have been fully convinced that the noble Lord would relieve them of every possible burden. But I wish the noble Lord could go into the City now, and see his committee. He would be perfectly astonished at his reception in the turtle-soup-eating ward. I regret that there should be this change, but it has occurred; and, I regret being compelled to say it, not without reason. The Government must have great hope of what this House will do, after the speech of the hon. Member for Plymouth; but I hope many Motions of this kind will be made, and that the feeling of the House on the subject of a reduction of taxation will be tested, so that the people may know who are and who are not for retrenchment. One hardly knows how to designate this tax; it is one of the most odious and unbearable ever imposed; it is second in iniquity only to the income-tax. It is injurious in an immense variety of ways. I conceive that the right hon. Gentleman the Chancellor of the Exchequer is quite mistaken in his view of the case. The right hon. Gentleman says he believes, and he sincerely believes, other-

wise he would not say so, that this tax does not press upon the industrious classes. The right hon. Gentleman may, I believe, have used the term "lower classes;" but for my part I don't know where the lower classes are to be found among men, although I have heard of them among animals. But the right hon. Gentleman says it does not press upon these classes, because small houses are excepted. Does not the right hon. Gentleman know that in large towns, where land is of great value, the object of proprietors is to run up houses as high as possible, and to locate in them as great a number of people as possible? Does he not know that the great mass of the industrious classes are lodgers, not householders, and that the landlords squeeze out of them every farthing for rent that they can possibly pay? Does he not know that as many as eight, ten, twelve, and more persons live in a single room, and that room with a single window? That is the case in all our large towns. Consequently, this tax operates like a curse upon the labouring population, and is destructive to their health, destructive to their comfort, and destructive to their morals. It environs them with foul air; it plunges them into darkness. And then you tell us that this is the nearest in operation to an income-tax. If that were so, it would be a very admirable and valid reason for detesting it all the more. It is injurious in every point of view. Has the right hon. Gentleman consulted architects on the subject of this tax? Does he know the extent of the discouragement and robbery it inflicts upon the man of genius, as well as upon the labourer, and how it prevents those improvements in architecture which otherwise would be made? Why, it literally robs the people of hundreds of thousands a year. In every respect, therefore, I say it is a tax which ought to be repealed. But no matter for that; the noble Lord might as well whistle before the rocks of Gibraltar as talk the best of reason on the subject of taxation after such a budget as we have heard from the Government. Some hon. Member behind me suggests that the matter might be referred to a Committee upstairs. Why, Sir, everything is going upstairs, and you will be presently left here in an empty house. Well, there is no chance of this tax being repealed by the present Administration; but of this I am sure, that the Government will know in the course of a few days that the people of this country will not submit to increased taxation for any purpose that has been stated. If the noble Lord at the head of the Government be labouring under a hallucination about foreign war, perhaps the common sense which prevails on that subject out of doors will have the effect of restoring the mind of the noble Lord to a state of sanity. But the noble Lord has made a war speech—I know the noble Lord disclaims it, and I acknowledge he may not have intended to do so, but I assure him that his language has had the effect of inducing the people to believe that the noble Lord thinks we are approaching the period when this country is open to an attack from other nations. [Lord J. RUSSELL: I said just the reverse.] I was merely stating the unfortunate impression that prevails. But the people are beginning to think on this subject of taxation, and when the public think, it is time for the ruling Powers to consider what they are about. An ignorant multitude may submit to injustice, but an intelligent people will not for any long period. The people of this country are now impressed with the notion that the taxation imposed upon them by this House is unjust, unequal, and in favour of property as against industry. That is the impression which prevails out of doors, and I trust many Members of this House concur with me in that opinion. Considering how much talent there is in the Government, and the means at their disposal of acquiring information—considering how repeatedly the subject of finance has been discussed in this House, it was most assuredly in the power of Ministers to have discovered some of the departments of State in which retrenchment might be made, and a stricter economy practised. But I repeat my conviction, that the Government made no sufficient inquiry into this matter, but came down to make their proposition heedlessly and thoughtlessly. That proposition has created out of doors a great deal of excitement, and within this House it has produced among Members a certain amount of discontent. That discontent will increase, and the excitement out of doors will increase, unless the noble Lord relaxes. Why, the equalisation of the land-tax would itself have produced nearly 2,000,000*l.* a year. Then look at the legacy and probate duty upon real property. Can anybody pretend that personal property should be subject to the duties now imposed, and real property escape altogether? If a man die and leave 100,000*l.* in land to his successors,

the party coming in pays not one farthing to the Government; but if another man die, and leave 100*l.* to an old and faithful servant who has been in his service twenty years—has been his greatest comfort, and has rendered him the most important services—that servant, before he can touch his legacy, has the sum of 10*l.* extracted from it in the shape of duty. Is not all this monstrous as well as false and absurd in principle? Why, there is a principle of very confiscation and spoliation running through the whole system which ought to be repudiated by any intelligent assembly desiring to do justice to the people. Observe how this window-tax operates. It commences at a low point; but when it comes to press upon the middle classes, the industrious classes, the working classes, it is screwed to the highest pitch. When it begins to touch the mansions of the aristocracy, then it begins to decline, and when it arrives at a gorgeous palace, with, say, 180 windows, the tax dwindles to an exceedingly small sum indeed, as if it then became impolitic to raise it higher. Do you wonder the people are discontented? I do trust, now that the subject has been mooted, that the House will apply itself to the subject of finance and taxation; that they will resist with honest firmness every extravagant expenditure on the part of the Executive Government; and that they will resolve to investigate with the most searching scrutiny into the expenditure now going on for State purposes; and I think it will be found that, instead of its being necessary to increase taxation, it will be practicable to reduce it, while what remains may be spread so evenly and justly over the face of society that the Chancellor of the Exchequer, instead of mourning over his unhappy position, might congratulate himself upon being the financier of a contented and prosperous people. I trust the noble Lord will not allow any person to induce him to withdraw his Motion; and I assure him, however small the number voting with him, he will find me among them.

Mr. STAFFORD was anxious that the House should see the exact position in which the hon. Member for Plymouth stood in relation to his constituency. The hon. Gentleman (Mr. Roundell Palmer) had stated that the tax was one of much inconvenience and injustice, and admitted that there were many arguments against it; but he said that, considering the time at which the present Motion was brought forward, and considering, also, the state of the public finances, he was not inclined to place the Government of the country in financial difficulties by at present voting for its repeal. Which of those two arguments weighed the heaviest with the hon. Member for Finsbury (Mr. Wakley), it was not for him (Mr. Stafford) to say; but certainly, if he were an elector of Plymouth, and found his representative stating fairly in that House the reasons *pro* and *con* with reference to the tax in question, and arriving at the conclusion that it would be better to continue the tax for one year than to risk the public credit, then he as elector of Plymouth would rest perfectly satisfied, and be prepared again to record his vote for the hon. Gentleman at a future election. But, certainly, after pressing the hon. and learned Member for Plymouth, the hon. Member for Finsbury gave him very little encouragement in his speech, for he said, "No matter what my friends or I may say, after the budget introduced by the noble Lord at the head of the Government, it is in vain for us to attempt the repeal of any tax whatever." Therefore, a part of the blame which the hon. Member for Finsbury cast upon the hon. and learned Member for Plymouth was to be attributed to his noble Friend (Lord Duncan) on account of the period at which he had brought forward his Motion. When he heard the hon. Member for Finsbury, who had been appealed to as one of those consistent political economists who were in favour of direct taxation, state that the window-tax was so iniquitous that it could only be equalled in iniquity by the income-tax—then he must say that he looked with some astonishment at the inconsistencies of the hon. Gentlemen behind and around the hon. Member. He and those who acted with him had hitherto held a consistent course, and maintained, upon the whole, not the prohibition of direct taxation, but the extreme importance, also, of using indirect taxation as a means of raising the revenues of the country; and they must be permitted, from time to time, as these questions were discussed, to force upon the House the recollection of the inconsistencies of those hon. Gentlemen, and the dilemma in which the advocates of free trade were left upon the question. Whilst he did not deny the benefit of some direct taxation, they might depend upon it that the great bulk of the revenue must still continue to be raised by indirect taxation; and if they went so far as to fear to levy duties and continue the

system of indirect taxation, because they thereby, directly or indirectly, protected particular interests, they would make their taxation press the more heavily on the poor; they would separate the rich from the poor, and make our financial difficulties, not to mention our commercial and political ones, of such magnitude, that Government after Government would resign, even upon the question of the budget and taxation, and the Government that might follow them would be unable to combat the difficulties they would have to encounter.

Mr. M'GREGOR said, it was his intention to vote for the Motion of the noble Lord the Member for Bath. But he would do so conditionally, and the condition was, that the Chancellor of the Exchequer should not be crippled in the means of maintaining the national integrity. He denied that it was the intention of the present, or that it had been of the late, Government to arrive at a system of direct taxation. Whilst they derived a revenue of 45,000,000*l.* annually by the levy of taxes on articles of commerce and consumption, it was not likely they would think of attempting to raise the entire revenue by direct taxation. But he wished for a general review of the whole system of taxation; and he thought the time had arrived when they might undertake it, notwithstanding the present extraordinary claims upon the Exchequer; but he would vote for the Motion of the noble Lord, because he thought no more odious tax existed than the window-tax. The budget speech of the noble Lord (Lord J. Russell) had been most ungraciously met both in that House and out of doors. Perhaps the speech might have been somewhat more comprehensive, and taken a more general view of the system of taxation; for he believed that the time had arrived when the whole subject of taxation could be taken up, and that under circumstances favourable to the Government, notwithstanding the extraordinary and, to a great extent, the unlooked-for drains upon the Exchequer. The time had arrived when Members of that House must expect to be required by their constituents to do that for which they had been sent to Parliament, namely, to take care of the people's money. He recollected that a noble Lord in another place had said in the year 1839, that if that House neglected to look after the interests of the people, and to regulate the taxation, the other House of Parliament should take up the business and do it. The people had cause to complain very generally of the unequal system of taxation now prevailing in England and Scotland; and they would expect the House to revise it, and to extend every one of the taxes paid in England and Scotland to Ireland. He could see no objection to the extension of the property-tax to Ireland; and if the window-tax were to be continued, he thought that it also should be extended to that country. He was, however, strongly opposed to the continuance of such an impost. He considered the deprivation of light and air in houses not subject to the tax as great an injury as if the occupiers had to pay the tax. By being obliged to build up their windows from inability to pay the duties, the inhabitants of the poorer description of houses were deprived of the light of heaven. With regard to a house-tax, to which the right hon. Gentleman the Chancellor of the Exchequer had alluded, he believed that tax would be far preferable to a window-tax, provided the amount was deducted from the rent paid to the landlord; but if it were to fall on all tenants, from the poorest to the richest, he thought it would be a most objectionable source of revenue.

Mr. FEARGUS O'CONNOR said, the speech of the hon. Gentleman who had just sat down would, in his mind, excuse the hon. Member from voting against the Committee proposed by the right hon. Gentleman the Chancellor of the Exchequer; and it also bore out to the fullest the feeling which prevailed out of doors against the speech of the noble Lord, which the hon. Gentleman had properly described as not altogether intelligible. In advocating the extension of the window-tax to Ireland, if it were to be continued in this country, the hon. Gentleman seemed to forget that the smallest amount of duty might often prove an entire prohibition. He seemed to forget the fact that an Engligh window and an Irish window were very different things. In England, the window was intended to let the light in; but in Ireland the use of a window was to let the smoke out. The hon. Member for Northamptonshire (Mr. Stafford), in dwelling on the comparatively small number of houses subject to the window-tax, seemed to overlook one consideration altogether. If there were 3,000,000 of houses not subject to the window duties, while only 500,000 paid the duty, the result which he (Mr. O'Connor) drew from this was, that a great number of these 3,000,000 of houses were shut up in darkness, and

would have windows but for this tax. This proved that taxes upon some articles acted nearly as a prohibition. When the proper time arrived, he should show that an income-tax of 2,000,000*l.* taken from the shopkeepers and the middle classes, was really an indirect tax amounting to 8,000,000*l.* upon the industry of the country. These classes were placed under the odious alternative of either paying the tax out of their capital, or deducting it from the payment of wages to the working classes. There was a disposition on the part of the English landlords and the Irish Members, it appeared, to support the imposition of the income-tax. He regretted to see that such was the case, because he warned the landlords that the tax would ultimately fall upon themselves. The Irish Members, too, when they were obliged to come to the middle classes of this country for assistance on the next occurrence of famine would be told, "You voted to take 2,000,000*l.* out of our pockets by the income-tax, and we can't assist you on the present occasion." He held that the effects of the income-tax would fall severely upon the working classes. The subject would, however, better come before the House on another occasion, and when that time arrived he should be able to show to the hon. Member for Northamptonshire that the evils of which he complained arose, not from adopting the principles of free trade, but from, at the same time, not adopting those prudent regulations to which the noble alluded in his celebrated Edinburgh missive. He agreed with the hon. Member for Finsbury, that they were now obliged to legislate for a thinking people. As to the increase of the Army and Navy, the noble Lord said that he did not make a warlike speech. But if he did not, what did 150,000*l.* for a militia mean? what did the increase of the marines and of the Army and Navy Estimates mean? Were not these warlike matters to introduce in a time of profound peace? He agreed in the adage that the best way to maintain peace was to be prepared for war; but he thought that the proper way to be prepared for war was to pay attention, not to the maritime defences, but to the wants and feelings of the classes on whom they should have to depend for assistance if war should come. The noble Lord ought to look also to the peaceful feelings of the people of this country; but at the same time he might rely on their support in the hour of danger. Though he was stigmatised as a firebrand and a destructive and a revolutionist, he would be ready to go farther than the right hon. Baronet, in telling the noble Lord that even the cripple would shoulder his crutch rather than have a foreigner to interfere in the affairs of this country; and for his own part, he was ready to become a volunteer, though he would not serve as a mercenary, in resisting foreign aggression. Let not the noble Lord think that the feelings of this country were to be judged of by the present quiescent state of the people. The public mind was strongly alive to the course taken by the noble Lord; and it was only necessary for some artful and designing demagogue to apply a match to their feelings in order to rouse the people into the most determined opposition. The people were, in fact, determined to look after the matter of retrenchment in the public expenditure. They were resolved that their sweat should not be poured out and their labour increased in order that others might live in luxury on the fruit of their sweat and industry. He would vote against this tax, because he regarded the question as one of principle; and because, as the representative of a popular constituency, he wished to show that the people were ready to return good for evil. When he went before them again, he hoped to justify his vote; but he would much rather return to his own insignificancy, than hold a seat in that House by adopting a course which his own feelings did not tell him were just. The noble Lord knew that the name of his party had been made odious to the public. The noble Lord knew that the name of Whig stunk in the nostrils of the country. He believed that he spoke the feelings of the working classes of this country as much as any man, and he would venture in their name to tell the noble Lord that all former differences would be forgotten, and all bygone battles be sunk in oblivion, if the noble Lord would now take up their cause; but that they would not suffer themselves to starve, in order that others might live in luxury on their toil. Though they were now at peace, the horizon was not unclouded; and God only knew what their discussion might be on Monday night next. A great opportunity was now in the hands of the noble Lord. Let him take care that the people should not be sacrificed, and if he had a difficulty to meet, he might then throw himself on the shoulders of the working classes of this country.

Captain PECHELL begged to remind the hon. Member for Northamptonshire that in 1835, now thirteen years ago, this very question had been before the House, and the Chancellor of the Exchequer of that day told them, in very much the same language as had been used by the right hon. Baronet the Chancellor of the Exchequer this evening, to be patient until they saw what would turn up in the next Session of Parliament. On that occasion the hon. Member for Marylebone (Sir S. Whalley) was asked to withdraw his Motion, and the whole of the Liberal party joined in endeavouring to persuade him to do so; but he was forced to a division by the hon. Member for Dover, and he walked into the lobby with only sixteen Members to support him. On that occasion, as well as whenever the question had come before the House subsequently, he (Captain Pechell) had advocated the removal of these duties, not only on the ground of their injustice, but because he regarded them as most injurious to the public health. He also felt interested in the subject because his constituency were large contributors to the tax. He had to complain that neither the right hon. Gentleman the Chancellor of the Exchequer, nor any of the other advocates of the tax, attempted to deny its injustice. His noble Friend had gone into some of the injurious effects of this tax; but if the public had the means of knowing how these assessed taxes, of which the window tax formed so considerable a portion, were levied, there would, he believed, be a much stronger feeling against their continuance. Between 1830 and 1847, there were 620 cases of assessed taxes returned before the judges on appeals, and of these 268 were for window tax; and it should be recollected that one case decided before a judge generally ruled twenty or thirty others. In Scotland, the extent to which this tax was felt to be a grievance was quite extraordinary; and how a Member from the northern part of the kingdom could vote for its continuance was to him most strange. In 1840 there were in Scotland no less than 115 cases of appeal from the assessed taxes, and of these 68 were on account of window-tax. He was surprised, too, that those who called themselves the farmer's friends in that House, did not look to the operation of the window-tax upon the agriculturists, for the blue books abounded in instances of its partial and unjust operation in farmhouses. In 1791 a Roman Catholic priest was assessed for a vestry room that opened into his chapel, on the ground that it was not used as a place of religious worship; and in the Established Church there were cases equally oppressive. As to deputations on the subject, he was tired of attending them. It was no doubt gratifying to see the right hon. Gentleman the Chancellor of the Exchequer in Downing-street; but so far from getting any assurance of relief from him, they might as well have a Tory Chancellor of the Exchequer. In both cases the language held out to them was precisely the same. Under these circumstances he should cordially give his support to the Motion of his noble Friend; and he should do all in his power to prevent the reimposition of the tax.

Lord ASHLEY said, that perhaps the House would allow him to say a few words on the subject before them. He should have been much better pleased to remain silent on the occasion; but the relation in which he stood towards the city of Bath, where the grievance was most seriously felt, and his position with regard to his noble Colleague, rendered some explanation necessary on the vote which he intended to give on this question. He concurred in a very great deal of what had fallen from his noble Friend, and from the hon. Member for Finsbury, and from all those who had spoken of this tax as being injurious and oppressive in the extreme. He felt that it pressed with great inequality on all classes, but particularly on the working classes, on the occupiers of small dwellings, and of the weekly tenements. He felt that in a sanitary point of view, it was impossible to exaggerate the mischief which it occasioned; and he did not hesitate to say that without a total repeal of the window-tax no sanitary measure would place the people of this country in that physical condition which acted so directly and so tremendously on their moral welfare. These were no new opinions of his, because long before he had become connected with the city of Bath he had entertained them; and in fact he was the party who prepared the first report on this subject, showing the injurious effect of these duties on the moral and physical condition of the people. He had the honour, the other day, of attending a meeting of his constituents, at which this subject was taken into consideration. He then told them, that this was, perhaps, the very first tax the Government ought to repeal; and that if they were about to pro-

pose—as it was then the general impression that they would—a large increase of taxation simultaneously with a great reduction of other taxes, he was of opinion that the window-tax ought to be the very first to be wiped off. But at the same time he most emphatically said that he would not give any vote on this subject that would impede the machinery of the Government, or in the least degree endanger the credit of the country. And when he looked at the state of the revenue—when he saw it announced by the First Minister of the Crown that the revenue of the country had decreased to the extent of 3,000,000*l.*, and that it was necessary to propose a large increase of taxation, he could not but think that to call for a reduction at such a time of taxes to the extent of 1,600,000*l.* was almost tantamount to a proposal for a species of national bankruptcy. That being his view, he could not, he regretted to say, concur with his noble Colleague in the proposition which he made. It was most painful to him to find himself at variance with a constituency that had treated him with such singular generosity; but, at the same time, he thought that a Member had some other duties to perform than to gratify a constituency, however lively his gratitude to them might be.

Mr. AGLIONBY said, it was strange that hon. Members who spoke strongest against the tax should be found voting with the Government in favour of its continuance. He agreed fully in all that the noble Lord who just sat down had said against the tax; and he would be as unwilling as the noble Lord expressed himself to be, to give any vote that would impede the machinery of Government, or destroy the credit of the country; and it was because he had satisfied himself that the repeal of the window-tax need do neither, that he was prepared to vote for the present Motion. He quite agreed with the noble Lord (Lord Ashley), that no hon. Member ought to vote against his own conscience; but he thought it would have been much more consistent for the noble Lord to tell his constituents that he would no longer seek to remain their representative when they could have a man in his place who could represent their wishes, and be prepared to vote in accordance with their views. For his own part, he would vote for the repeal of this tax, and in doing so, he knew that his views were in accordance with those of his constituents; and he had no doubt but that the deficiency in the revenue could be made up from less objectionable sources. As to the Government, they were no doubt bound to make up any deficiency in the revenue; but they were at the same time bound to reduce the public expenditure as far as possible. The position of the Government was, no doubt, a very difficult one; but he was prepared to support them in laying on a property-tax. On these grounds, while he held himself perfectly free to vote for reducing the expenditure, he was at the same time ready to support any measure that would be found necessary to meet the exigencies of the case. He preferred a system of direct taxation, which, in his opinion, ought to be principally laid upon property. There was not the slightest chance of the noble Lord having a majority; but if the Motion were carried, he should be the better prepared to vote for a continuance of the income-tax.

Mr. COWAN requested the indulgence of the House on addressing it for the first time. He stood there as the representative of the chief city of the northern kingdom, which, he was afraid, was now looked upon merely as a province, and he had the honour to enjoy the confidence of a constituency which used to be distinguished for intelligence, but which, he apprehended, had lost something of that character in his neighbourhood. He had been engaged for some years in an attempt to reduce, in one particular direction, for the relief of a certain class of manufacturers, of whom he was one, the burdens of the Excise. He had again and again, as a member of different deputations, remonstrated against the injustice of the impost; and the invariable answer had been, "We cannot afford to part with it." Such an argument as that would not, in his opinion, warrant a fixed injustice. Unless they could use something like a moral compulsion on the Government, there was no chance of their obtaining justice in such matters. He looked upon the tax upon windows as unjust in its nature, and injurious in its consequences. There was an intimate connexion between suffering and sin, and they ought to do all in their power to avert the one by preventing the other. The window-tax was a direct hindrance to cleanliness among the people, and, as having that effect, ought to be repealed. He believed they would be enabled to meet all the requirements of the State if they endeavoured to do their duty in a spirit of justice. Their whole system of taxation was at present full of the most discreditable anomalies; and un-

less these were done away with, they could not hope to possess the confidence of their constituents. It had been asserted by an hon. Gentleman that he was only sent to the House for the purpose of enlightening the Legislature with respect to the particular manufacture in which he was engaged. He had not entered Parliament on any such narrow grounds, though he did not deny that he stood opposed to certain of the excise duties which occupied some attention in the north, and which, he regretted to say, had been entirely blinked in the budget. The hon. Member to whom he referred had spoken of the disgrace which, on a recent occasion, had attached itself to the constituencies of two of the metropolitan boroughs and of the city of Edinburgh. He could only say that he was glad that his first vote in that House should have been for an act of justice towards London in receiving as its representative a Gentleman who, though belonging to a body hitherto excluded, was fully entitled to receive from them a full share of their political privileges, in accordance with the spirit of the religion they professed. He would do all in his power while he possessed a seat in that House to diminish the existing amount of human suffering in these kingdoms; and he hoped that if they went forward in the right direction they would secure to themselves the blessing of God, without which all was vain.

Mr. MOWATT said, that however small might be the body which should follow the noble Lord (Viscount Duncan) into the lobby on this question, he should have great pleasure in making myself one of his adherents on the occasion, for he considered this tax was most unequal, and therefore unjust, besides being in the highest degree alike injurious to the comfort and morals of the people. It was nothing less, in short, than a blundering circuitous species of income-tax. And the country expected of them that they would now bring it to a close. Even those hon. Gentlemen who opposed its removal at the present time, all concurred in the character which he had taken upon himself to give it, and in its pernicious effects on the great mass of the people. It was a most unequal tax, for it had been proved that it took a greater amount of money from the inhabitants of Plymouth than it did from those of Leeds, although the wealth of the latter town was ten times greater than that of the former. But the suffering that the tax produced, and its demoralising effects, had been already so strongly shown from many quarters of the House, that it was useless and unnecessary for him to dwell upon its odious qualities. The right hon. Baronet (the Chancellor of the Exchequer) seemed himself to be struck with the anomalous position in which the Government was placed by defending this tax, viz., that while proposing sanitary measures on the one hand, it was opposing on the other that which was the basis and foundation of all sanitary reform—the free admission of light and air. The right hon. Gentleman had said, indeed, that there was no resisting the arguments that had been brought against the tax; and yet he added that he could not consent to remove it, on the ground that he could not do without it; and other hon. Gentlemen had attempted to vindicate the votes they were about to give for its continuance, in opposition to their own judgment, by the same sort of argument. He (Mr. Mowatt) did not admit the force of that argument, for other and more legitimate sources of revenue were undoubtedly to be found, as had been demonstrated by the noble Lord who introduced this proposal. He would not, however, go into that part of the question now. It would arise more naturally in a succeeding debate. He desired them merely to notice and protest against a doctrine attempted to be laid down by the Chancellor of the Exchequer—that it was incumbent on all Members, when objecting to and denouncing a tax, to point out or substitute a better. He denied that that was a well-founded argument. It was the province of the Government, and not of individual Members, to find out the least oppressive and the best mode of raising the revenue; and when it could be shown that the revenue was not raised in the most fitting and the best manner, he contended that the Government had to that extent failed in its functions.

Lord J. RUSSELL said: My hon. Friend the Member for Cockermouth (Mr. Aglionby), in the very manly speech he made to the House, said that it would have a very bad effect with the public if it should appear that all the argument was in favour of the one side, and yet that when we came to the division, the vote of the House should be in the opposite direction. Why, Sir, this I imagine must be the case, if we are to discuss any tax simply upon its merits. I never heard any Gentleman get up and say, "I should like to have a tax upon a particular article as a positive good in itself." Every one must agree that every tax is in itself an

evil; if you point out any particular tax, and state your objections to it, I will defy any Chancellor of the Exchequer, however ingenious he may be, to show that that tax is in itself a good, and ought to be kept up for the welfare of the community. Why, we have had a specimen just now in the instances given by the hon. Member for Edinburgh (Mr. Cowan). He says that the excise upon paper and the excise upon soap are very vexatious, and that all excise taxes impose great restrictions upon the public, and lead to an unpleasant investigation and supervision of private concerns. I cannot for a moment deny the hon. Member's allegation. I think all excise taxes are liable to this objection. Then the hon. Member for Dumfries (Mr. Ewart) is going to bring forward a Motion with regard to the taxation upon tea, and upon tobacco, and upon butter and cheese, and various other articles. Why, if we are to discuss the tax upon tea on its own merits, nobody can deny that it is a tax greater in proportion to the value of the article than you would wish a tax of that kind to be. The tax upon tobacco still more sins in that respect; it is excessive in proportion to the value of the article. But when we have come to the end of our discussions upon the subject, and have decided that none of these taxes can be defended, we shall find ourselves, as my right hon. Friend the Chancellor of the Exchequer says, minus some 9,000,000*l.* of revenue, and, with the addition of the taxes of which the hon. Member for Edinburgh complains, some 10,000,000*l.* or 11,000,000*l.* And then there comes the argument, which has been stated I think so conclusively by my Friend the Member for Plymouth, and by the noble Lord the Member for Bath (Lord Ashley), who spoke against this Motion, that the revenue cannot spare the loss of these taxes, and therefore the House would feel it to be its duty to refuse the Motion. I heard from the hon. Member who spoke last that if there are objectionable taxes, it is the duty of Her Majesty's Government to point out others which are less objectionable. Why, certainly that is an easy axiom to lay down; but I cannot say that the experience I have had in former years, or that which I have had within the last few days in particular, shows me exactly what those taxes are to which no very strong objections can be raised. I quite agree with those who say that an enormous amount of indirect taxation is very objectionable; and I think great good has been done of late years under the administration of the right hon. Gentleman opposite, in very much diminishing those indirect taxes; but, at the same time, when I am told that if we took off the window-tax, we might add to the property and income-tax, I must say that there are limits beyond which you cannot well carry your direct taxation. And, indeed, an hon. Member in the course of this debate, who expressed his very great regret that the Government should become unpopular on this subject, stated that the window-tax is only a little less odious than the income-tax; so that I fear, if we were to consent to a very large diminution of indirect taxation in the present state of the revenue, in the hope of making ourselves popular by a great increase of the direct taxation, we should fail in our calculations, and that a much larger increase than that which we have ventured to propose would meet with the greatest opposition in the House and in the country. I am, therefore, obliged to come to the conclusion, that, although the window-tax is very objectionable, yet there are not at present the means of providing a substitute for that tax, to which other objections as grave may not apply. My right hon. Friend has said most truly, that he has been engaged during great part of the autumn with this subject; and I know that he made inquiries with respect to modes of diminishing the pressure of the window-tax, or finding substitutes for it. I cannot say that we can at present recommend to this House any alteration, or any such substitute. And although I must confess, frankly and fully confess, that if we come to the merits of this particular tax, or any other, those who object have very much the best of the argument, yet, upon the whole, considering that we are bound to public creditors who lent their money for wars formerly carried on, and are bound by Acts of Parliament to certain other obligations, and that we are bound to keep up a certain amount of establishment, I shall certainly vote with a very good conscience for the maintenance of this tax.

Mr. EWART contended that the window duties were a practical burden upon commerce which the Government ought not to continue, seeing that our indirect taxation was greater than that of any other country in Europe. The doctrine of direct taxation was in accordance with the views of Adam Smith, Mr. Pitt, and Mr. Huskisson, who, in almost the last speech

he made in the House of Commons, strongly advocated it. The window duties, however, were a direct tax under an indirect aspect; and in proving their impolicy, he denied that hon. Members were bound to provide the Government with a substitute. It was sufficient if they demontrated the tax to be bad in itself. Had Her Majesty's Ministers, at an early period of their career, taken a comprehensive review of our system of taxation, they might have obviated much of the present difficulty; they had not, and the time was now come when the people would force the subject upon their attention.

Dr. BOWRING believed that every one must sympathise with the noble Lord in his difficulties; it was very difficult to maintain the taxation which now pressed upon the people, and still more difficult to augment it. But surely diminution of expenditure rather than augmentation of taxation was now the paramount duty of the Government. The burdens of the people had been augmented from year to year: since 1835 the charge for the armaments of the country had risen from less than 12,000,000*l.* to more than 17,000,000*l.*; and the miscellaneous charges had also increased within these few years by 3,000,000*l.*; the result being an addition to of above 8,000,000*l.* a year to our expenditure; and we were now asked to increase a tax intolerable in its present form. He (Dr. Bowring) had been lately in the manufacturing districts, and had received multitudes of communications from persons well able to judge of the state of public opinion, and he believed that there was in the country the greatest possible apprehension of the consequences of the endeavour to augment the taxation to the extent of 3,500,000*l.*, and an universal desire that, instead of this, our expenses might be greatly diminished.

Lord R. GROSVENOR entirely concurred with the noble Lord (Lord J. Russell) that the House was bound to make good its public engagements and to maintain those services which were necessary for the protection of our honour and our commerce. He regretted to find, from what his right hon. Friend the Chancellor of the Exchequer had said, there was no prospect of the window-tax being abolished; but believing its existence was most prejudicial to the population of England, he was compelled, however reluctantly, to vote in favour of the Motion of his noble Friend opposite.

Sir R. PEEL: I intend to make the shortest speech in this debate. I intend to take my share of the unpopularity of declaring that, in my opinion, it is not consistent with the duty of Her Majesty's Government, in the present state of the revenue and the expenditure of the country, to consent to a remission of this tax. I heard with satisfaction from the right hon. Gentleman that he has had under his consideration the means of removing some of the anomalies of this tax, and the possibility of providing a substitute for it in some other way. I hope the right hon. Gentleman will not be deterred from consideration by the fact of a metropolitan deputation making objections to finding a substitute. I am sure, if the right hon. Gentleman puts it in this way—"Will you consent that some other tax should be imposed in the place of this?"—the certain answer will be "No. What we want is the repeal of this tax, and we will be no parties to the substitution of another." I therefore venture to advise the right hon. Gentleman to throw overboard altogether the opinions of the metropolitan deputation, and of every other deputation which gives a similar answer to a similar question; and to address himself fairly and freely to the consideration of a substitute less open to objection. I have had an opportunity of conferring with the noble Lord near me (Lord Duncan), and I will do him the justice of acknowledging the zeal and the very great ability with which he has brought the subject before us. I think, however, if upon Monday next the noble Lord opposite had intimated he had some reduction of taxation to propose, it would then have been perfectly competent for the noble Lord (Lord Duncan) to put in a claim for the remission of the window-tax. But even in that case I should not pledge myself to vote for him, for I wish to reserve the comparative demerits—for there are demerits—of all taxes for consideration. And as to whether there is to be an increase of taxation, I think it is only natural that the noble Lord should wait to see what is the manner in which the increase is received before he adds to the difficulty by removing this tax. I beg the House to bear in mind that, however objectionable a particular tax may be, there are others equally objectionable. One tax may be in principle preferable to another, if you had to deal with it from the beginning; but when a tax has been long endured, it does

not necessarily follow that those which are least objectionable in principle can be easily substituted. But Monday next will be a better opportunity for entering into a consideration of the principle of general taxation; in the meantime I could not reconcile it to myself to give a silent vote, when, in my opinion, it is impossible to consent to a remission of the window-tax.

Mr. B. CABBELL said, he should vote for the Motion, on the ground that the window-tax imposed a restriction upon the light and air of heaven.

Viscount DUNCAN replied, and remarked, that of five speeches delivered against his Motion two only really opposed it—those of the noble Lord (Lord J. Russell), and that of his Colleague the right hon. Gentleman the Chancellor of the Exchequer. He had observed that the noble Lord and the right hon. Gentleman invariably acted the part of the Siamese twins ; they mutually supported each other; and when they happened to be at a loss, whatever the one said the other was ready to swear to. He regretted that he was not to count upon the support of his noble Friend and Colleague (Lord Ashley). He thanked him, however, for his speech, in which he had borne out the statement that he (Lord Duncan) had made, for no man knew better than his noble Friend how unequally and unjustly that tax pressed upon the poorer classes. He stood there not the advocate of national bankruptcy, but the advocate of economy. He wished to see each man paying taxes in proportion to his means—he wished to see taxes made certain, but not arbitrary—and he wished to see them collected in such a way as to be least obnoxious to the country at large. He also thanked the noble Lord opposite, who took such a prominent part in sanitary reforms (Lord R. Grosvenor), for his speech, and rejoiced that he might reckon upon his vote.

The House divided:—Ayes 68 ; Noes 160 : Majority 92.

List of the Ayes.

Aglionby, H. A.
Alcock, T.
Barnard, E. G.
Birch, Sir T. B.
Blewitt, R. J.
Bowring, Dr.
Brisco, M.
Brotherton, J.
Cabbell, B. B.
Christy, S.
Clay, J.
Cowan, C.
Crawford, W. S.
Deering, J.
D'Eyncourt, rt. hon. C. T.
Duff, G. S.
Duke, Sir J.
Duncan, G.
Evans, Sir De L.
Ewart, W.
Fagan, W.
Fordyce, A. D.
Fox, W. J.
Gardner, R.
Greene, J.
Grosvenor, Lord R.
Hall, Sir B.
Hastie, A.
Heneage, G. H. W.
Henry, A.
Hildyard, T. B. T.
Hindley, C.
Kershaw, J.
King, hon. P. J. L.
Lushington, C.
M'Gregor, J.
Meagher, T.
Morris, D.
Mowatt, F.
Nugent, Lord
O'Connor, F.
Osborne, R.
Pattison, J.
Pechell, Capt.
Peto, S. M.
Pigott, F.
Plowden, W. H. C.
Raphael, A.
Salwey, Col.
Scholefield, W.
Seeley, C.
Sibthorp, Col.
Strickland, Sir G.
Stuart, Lord D.
Sullivan, M.
Talfourd, Serj.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Tollemache, hon. F. J.
Turner, E.
Wakley, T.
Walmsley, Sir J.
Wawn, J. T.
Williams, J.
Wood, W. P.
Wyld, J.
Yorke, H. G. R.

TELLERS.
Duncan, Visct.
Hume, J.

List of the Noes.

Adair, R. A. S.
Adair, Visct.
Anson, hon. Col.
Anson, Visct.
Anstey, T. C.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Ashley, Lord
Bailey, J.
Bailey, J. jun.
Baring, H. B.
Baring, rt. hon. F. T.
Bellew, R. M.
Berkeley, hon. Capt.
Bernal, R.
Bolling, W.
Boyd, J.
Broadley, H.
Brockman, E. D.
Bruce, C. L. C.
Bunbury, E. H.
Burke, Sir T. J.
Busfeild, W.
Campbell, hon. W. F.
Cavendish, hon. G. H.
Cayley, E. S.
Childers, J. W.
Clements, hon. C. S.
Colvile, C. R.
Cowper, hon. W. F.
Craig, W. G.
Cubitt, W.
Davie, Sir H. R. F.
Davies, D. A. S.
Denison, J. E.
Disraeli, B.
Divett, E.
Douro, Marq. of
Drumlanrig, Visct.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dundas, G.
Dunne, F. P.
East, Sir J. B.
Ebrington, Visct.
Edwards, H.
Egerton, W. T.
Elliot, hon. J. E.
Evans, W.
Ferguson, Sir R. A.
Fitzwilliam, hon. G. W.
French, F.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Graham, rt. hon. Sir J.
Grey, rt. hon. Sir G.
Grey, R. W.
Gwyn, H.
Hamilton, Lord C.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Heathcote, J.
Heneage, E.
Henley, J. W.
Heywood, J.
Hodges, T. L.
Hodges, T. T.
Hood, Sir A.
Hope, H. T.
Howard, hon. C. W. G.
Howard, hon. J. K.
Howard, hon. E. G. G.
Hutt, W.
Jackson, W.
Jervis, Sir J.
Jones, Capt.
Keogh, W.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lennard, T. B.
Lewis, G. C.
Littleton, hon. E. R.
Lockhart, W.
Macnamara, Major
M'Naghten, Sir E.
Mahon, The O'Gorman
Martin, J.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.

Meux, Sir H.	Seymour, Lord
Mitchell, T. A.	Shelburne, Earl of
Moffatt, G.	Sidney, T.
Monsell, W.	Smith, rt. hon. R. V.
Moore, G. H.	Smith, J. A.
Morpeth, Visct.	Somerville, rt. hn. Sir W.
Morison, Gen.	Spearman, H. J.
Mulgrave, Earl of	Stafford, A.
Mundy, E. M.	Stanley, hon. E. J.
Nugent, Sir P.	Stansfield, W. R. C.
O'Brien, T.	Stanton, W. H.
Ord, W.	Strutt, rt. hon. E.
Paget, Lord C.	Stuart, Lord J.
Palmer, R.	Talbot, J. H.
Palmerston, Visct.	Tancred, H. W.
Parker, J.	Tenison, E. K.
Patten, J. W.	Thompson, Ald.
Peel, rt. hon. Sir R.	Thornely, T.
Perfect, R.	Tollemache, J.
Pilkington, J.	Towneley, R. G.
Power, Dr.	Townshend, Capt.
Power, N.	Trelawny, J. S.
Powlett, Lord W.	Turner, G. J.
Price, Sir R.	Tynte, Col. C. J. K.
Pugh, D.	Verney, Sir H.
Pusey, P.	Villiers, hon. C.
Rendlesham, Lord	Ward, H. G.
Ricardo, O.	Watkins, Col. L.
Rich, H.	West, F. R.
Russell, Lord J.	Williamson, Sir H.
Russell, hon. E. S.	Wood, rt. hon. Sir C.
Rutherfurd, A.	Wrightson, W. B.
Sadleir, J.	TELLERS.
Scrope, G. P.	Hill, Lord M.
Scully, F.	Tufnell, H.

APPEAL IN CRIMINAL CASES.

Mr. EWART rose to move for leave to bring in a Bill to establish a power of appeal in criminal cases. Experience had shown the necessity for granting such appeal. Within the last two months, even, criminal cases to the number of ten, at least, had occurred, which, in the circumstances attending them, proved the necessity for the introduction of the power of appeal. The Bill which he desired to introduce would give a power to grant appeals generally as regarded points of law and matters of fact. One species of crime was necessarily excluded from the operation of the measure—that of treason and misprision of treason. Those crimes were already provided for by the Statutes of Anne, William, and Mary, George III., and Queen Victoria. With that exception, the Bill was intended to apply to all criminal cases. The Bill would confer upon a criminal court the power of granting appeal in three ways; first, by a new trial; secondly, by arrest of judgment; and, thirdly, by entering a verdict for the prisoner. The judge before whom the appeal should come to be heard, would have power to assign counsel and attorney to the prisoner; and the judge on the original trial would be empowered to order that the prisoner should be furnished with a copy of the indictment. One clause of the Bill fixed the time within which appeals could be claimed; another enforced the attendance of the witnesses and prosecutor at the appeal; and a third provided for their payment upon the same scale as at the original trial. It might be urged as an objection to his measure, that it gave the power of appeal to the prisoner, and not to the prosecutor. In reply, he must say that he sought only to remedy an acknowledged evil. Many difficulties were connected with a double right of appeal; and, therefore, his Bill was restricted to cases in which the prisoner might want to appeal. At the same time, if the House should think proper to extend the right of appeal to prosecutors, he would not object to such a provision being engrafted upon the Bill. The introduction of the power of appeal would be attended with difficulties, owing to the want of a functionary established in other countries and in a division of Great Britain, Scotland, namely, a public prosecutor. The time would come when a demand for a public prosecutor would arise in this country. Another impediment in the way of the introduction of the system of appeal was to be found in the want of a record of the evidence given on the trial, and of the decision pronounced by the judge. At present the only admitted record was the judge's notes, which were usually insufficient, and it might therefore frequently be difficult to obtain the materials whereon to base an appeal for a new trial. In conclusion, the hon. Member moved for leave to bring in a Bill to establish the power of appeal in criminal cases.

Sir G. GREY said, that it was not his intention to offer any opposition to the introduction of the Bill; but he wished it to be distinctly understood that he did not pledge himself to approve of all the provisions which might be embodied in the measure. It was far from his intention to intimate that the subject was not of great importance, and deserving of the serious consideration of Parliament; but when the Bill should be printed he would be better able to discuss its provisions, which, at present, he was not certain that he distinctly understood from the hon. Member's statement. Great difficulty would be experienced in carrying into effect the details of any measure on the subject; and it was apparent, from the hon. Member's remarks, that he was aware of some of the difficulties which he would have to encounter. He begged the hon. Member would not

appoint a very early day for the second reading of the Bill. He thought that any attempt to assimilate criminal proceedings to the proceedings in civil cases must altogether fail. In criminal cases the prisoner always had the benefit of any doubt that might exist; but there was no parallel circumstance in a trial of a cause between two litigant parties.

Leave given.

GAME CERTIFICATES.

Mr. COLVILE moved for leave to bring in a Bill to enable all occupiers of land, having a right to kill hares on that land, to do so by themselves, or persons authorised by them, without being required to take out a game certificate. It was well known that many persons occupied small plots of land lying contiguous to the game preserves of great men, and that before such persons were at liberty to protect their property, by killing the animals that were constantly coming upon their land and destroying the crops, they were obliged to pay a heavy tax by taking out a certificate. He had so prepared the Bill he wished to introduce that he believed the revenue would by no means suffer from it; he therefore hoped the Government would not oppose its being brought in.

Sir G. GREY thought the proposal which the hon. Gentleman made a very reasonable one, and he saw no ground for opposing the introduction of the Bill.

Mr. STAFFORD complained of the conduct of the hon. Member for Manchester (Mr. Bright), who, having in 1845 and 1846 taken upon himself the task of legislating upon the subject of the game laws, had since suffered the matter wholly to rest. He (Mr. Stafford) had been requested by his constituents to bring forward a measure on the subject; but he told them that the question was in the hands of the hon. Member for Manchester, and that he should not like to poach upon the hon. Member's manor. That hon. Member had, however, suffered the report of his own Committee to pass by without any notice whatever; and so little did he appear to be interested in the question, that he even permitted the hon. Member for South Derbyshire (Mr. Colvile) to bring forward a Motion on the subject without thinking it necessary to be present. Let it be observed, therefore, that this measure for mitigating the rigour of the game laws did not emanate from a free-trader, but from an hon. Gentleman who belonged to the agricultural class.

Mr. BRIGHT had nothing to say in opposition to the present Bill. It was impossible a majority of the House, after all that had been stated and was known in connexion with the practice of the game laws, could consider such a measure sufficient to cure the evils that attended the existing system. However, the hon. Member for South Derbyshire knew extremely little of the practical working of those laws if he supposed that placing hares in the same category with rabbits would have any serious effect in putting a stop to the thousands of convictions that every year occurred in consequence of the infractions of the game law. It was, therefore, fully his intention, notwithstanding any measure of this limited nature, as soon as possible to introduce a Bill for the purpose of repealing the game laws altogether. He had, however, had his time occupied by other matters, particularly by the subject of the growth of cotton in the East Indies. But so soon as the Committee on that subject should close its labours, which he hoped would be within one month, he should then ask leave to bring in a Bill to repeal the laws concerning game. He should endeavour to establish this principle—that the law should not give any sanction or encouragement to the practice of preserving game in this country. Although there had been great delay since the report of the Committee on this subject, yet he did not believe the question had lost anything by that circumstance. The attention, both of the House and the country, had been more fully called to it, and it would now come forward for discussion with a much greater chance of success than if it had been brought forward in the last or preceding Session.

Mr. NEWDEGATE was glad to hear that the hon. Member for Manchester did not intend to oppose the introduction of the present Bill. With reference to the wider subject which the hon. Member had mentioned—namely, a total repeal of the game laws—he trusted the hon. Gentleman would fully consider this fact, that if he were to repeal the game laws many large districts in this country would remain unprotected. The game laws assisted very materially the rural police; and his conviction was, that if the game laws were repealed, large woodland districts especially would be left so unprotected as to make it absolutely necessary to enact a law on the subject of trespass infinitely more vexatious and onerous to the people of this country than the game laws. He thanked

the hon. Member for South Derbyshire for introducing this Bill, which he believed would remove a great practical evil—the destruction of crops by game.

Mr. H. BERKELEY would certainly object to any proposal for the repeal of the game laws which deprived the owners or occupiers of property of protection against trespass; but if the hon. Member for Manchester, in proposing the repeal of the game laws, would afford some remedy to the owners of property against lawless trespassers, he would most gladly give the hon. Gentleman his aid. If, however, the hon. Gentleman intended to repeal the game laws, and thereby to expose the landed property of the country to the ravages of an armed and lawless mob, he would oppose him to the utmost of his power.

Mr. F. MAULE observed, that some years ago he had, in two successive Sessions, brought forward measures on this subject. One of those Bills, which passed the second reading, was intended to protect tenants from the very evils of which the hon. Member for South Derbyshire (Mr. Colvile) complained. The House, however, did not think fit to adopt the proposition he made, which was simply to give the tenant a right to obtain, from those who preserved game, particularly hares, compensation for any injury they might occasion to his crops. He had been told by a farmer that, upon a field of young grass in his occupation, 200 hares daily depastured, and that he reckoned that ten hares eat as much as one sheep. The House would see, therefore, that it was absolutely necessary, especially where hares were preserved, that some compensation should be given to farmers for the destruction they occasioned. He was most anxious to see a good feeling existing between landlords and tenants on this subject; and he was satisfied that the fair sport of a country gentleman, which might induce him to reside on his estate, would not cause any dissatisfaction on the part of his tenantry. He would support this measure, because he thought it would provide for the protection of the tenant, without disturbing the good understanding which ought to exist between the tenant and his landlord; but if the hon. Member for Manchester proposed the entire repeal of the game laws, without protecting the country gentleman by some law of trespass which would prevent persons from intruding upon his property and destroying his crops, he must say that he thought such a measure would be much more objectionable than the game laws themselves.

Mr. AGLIONBY considered that the Bill of the hon. Member for South Derbyshire would operate beneficially, and he hoped it would be sanctioned by the House. The hon. Member for Manchester (Mr. Bright) had said that when he brought forward his measure for the total repeal of the game laws, he expected to receive the general support of hon. Gentlemen on that (the Ministerial) side of the House, founded upon the evidence adduced before the Committee which had been appointed to inquire into the subject in the last Parliament. He doubted very much whether the hon. Gentleman would find a strong feeling in his favour; but he was prepared to say that when the hon. Gentleman introduced his Bill he would give it his most attentive consideration, with a view to place the relations of landlord and tenant on a more satisfactory footing, and to remove some of those temptations which caused many of the poorer classes to become inmates of gaols. The hon. Member for Manchester had said that he thought there ought to be no game laws in so densely populated a country as this. He trusted the hon. Gentleman was not averse to maintaining the rights of property, and that he was not prepared to assert that persons ought to be authorised to trespass upon the land of their neighbours without restriction.

Sir R. PEEL believed that the most effectual remedy for the evils attending the game laws would be a strong impression on the part of the landed proprietors that hares and rabbits in excessive quantities were very injurious to the produce of the soil, and a disposition to consent to some arrangement which would tend to diminish the excessive quantity of this description of game. He considered that such voluntary arrangements, made by the proprietors themselves, would lead to the preservation of other descriptions of game, with regard to which the same objections were not entertained. The true sportsman must feel that hares could give very little real amusement, and that they were chiefly kept for the amusement of metropolitan sportsmen, who found it difficult to kill anything else. With respect to the winged kinds of game, he apprehended the damage they did to the crops was very slight. He certainly thought the hon. Member for Manchester would find it a difficult matter to deal with the game laws, if he contemplated any infringe-

ment of the rights of property. He presumed that the hon. Gentleman would not propose to carry his interference so far as to prevent persons from preserving game; but if the hon. Member meant that all persons should be entitled to traverse the property of their neighbours in order to kill game, they would have the country in a state of rural insurrection. He considered, however, that it was quite premature to discuss the general object of the game laws on this occasion. He had not the slightest objection to the Bill which the hon. Member for South Derbyshire proposed to introduce, and which he believed would afford greater facilities than now existed for the amusement of coursing. If he understood the Bill aright, it would not give any pecuniary remedy to the tenant for any damage his crops might sustain; its object was merely to enable occupiers of land, having a right to kill hares on that land, to do so, by themselves, or persons authorised by them, without being required to take out a game certificate. He wished to ask his hon. Friend the Member for South Derbyshire, what was the construction to be put upon the words "having a right to kill hares?"

Mr. COLVILE said, it was well known that the right of game was with the occupier; but in many cases the landlord reserved to himself that right, and the occupier could then only kill game by permission. What he proposed was, that when the landlord gave his tenants permission to kill hares, they might do so without a certificate.

Sir R. PEEL observed, that the owner of 1,000 acres of land might farm his own property, and would then be the occupier. Would he have the right to kill hares without a certificate?

Mr. COLVILE replied in the affirmative. His object was to place the law with regard to hares precisely on the same footing with the law respecting rabbits.

Mr. HUDSON thought it was perfectly fair that an individual occupying a small farm adjoining the estate of a gentleman who preserved game, should have the privilege of destroying the game if it became a nuisance to him. He did not, however, concur in the free-trade principles of the hon. Member for Manchester, who, as he understood, contended that any person should have a right to go upon any estate he pleased, and shoot what game he thought proper. Why, he (Mr. Hudson) might just as well enter the warehouse of the hon. Member for Manchester, and take away a piece of cotton. That would be just as equitable a proceeding. He (Mr. Hudson) concurred in the complaint which had been made with regard to the expense entailed upon the country for printing blue books containing the evidence taken before the Committee which had been appointed some time since, to inquire into this subject, on the Motion of the hon. Member for Manchester. He considered that such an expenditure was altogether unjustifiable; for he believed that no general feeling against the game laws existed in the country. He could answer that there was no such feeling in Yorkshire. When a person entered upon a farm, he took it on certain conditions, and one of those conditions might be that the game should be preserved. The right hon. Baronet (Sir R. Peel) had stated that hares committed great destruction. He (Mr. Hudson) could only say that in Yorkshire they were a very desirable thing at table, and he would be very sorry to see them extirpated. The tenants in his part of the country made no complaints of the injury to crops occasioned by game. The fact was that that House was fond of meddling with everything—there was no subject too trifling or too minute to engage its attention; and he would recommend the hon. Member for Manchester to leave the landlords and tenants to manage their own affairs, which they could do without the busy meddling interference of Parliament.

The CHANCELLOR of the EXCHEQUER thought they could not do better than follow the advice which had been given not to discuss a Bill which was not before the House. He certainly did not understand that the hon. proposer of the present Bill contemplated any interference with the rights of property.

Leave given.

Bill brought in and read a first time.

ASSESSMENT OF SMALL TENEMENTS.

Mr. P. SCROPE then moved for leave to bring in a Bill to exempt small tenements from local taxation. He hoped that, notwithstanding the proposals already made that evening for the reduction of taxation, he should not be considered as trespassing on the domain of the Chancellor of the Exchequer, if he brought forward a humble proposal, not for the purpose of reducing taxation to any great extent, but of doing away with an inconvenient mode of taxa-

tion, and substituting a more direct and beneficial mode. The poor, if unable, on account of poverty, to pay rates for their habitations, were exempted from doing so; and in some rural parishes the exemption extended to one in twenty or one in twenty-three on the number of houses; while in populous towns, Liverpool, for instance, the exemption extended actually to one-third of the aggregate amount of rateable property in the parish. In Liverpool, out of 40,000 houses forming the town, the occupiers of no less than 32,000 were excused on account of poverty, from contributions to the poor-rate. It was right and fair that exemptions should continue; but the present plan of determining the exemptions was most inconvenient, occasioning trouble to magistrates, expense to overseers, and loss of time and labour to the poor man in attending the petty sessions. It was far better that the exemptions should take place in a regular systematic mode, and that a line should be drawn according to the value of the houses occupied. He therefore proposed that, in rural districts, houses under the value of 5*l.* should be exempted from the rates; in towns of from 10,000 to 50,000 inhabitants, the limit should be 8*l.*; and in cities like Liverpool the exemption should extend to houses of 10*l.* value. His proposal had a bearing on the moral and sanitary condition of the poor; and it was from that consideration that he advocated it. The consequence of the present state of things was, that the poor were driven to live in dwellings which were most prejudicial to their health. His Bill would assist in carrying out the sanitary views of the noble Lord at the head of the Woods and Forests, as he proposed that the exemption which his Bill would provide should not extend to houses which were reported to be not in a sanitary state.

Leave given.

LAW OF ENTAIL (SCOTLAND).

The LORD ADVOCATE rose to move for leave to bring in a Bill to amend the law of entail in Scotland. Notwithstanding the late hour of the evening (half-past 11 o'clock), he thought it necessary to say a few words in explanation of the measure which he was about to ask leave to introduce; but he would endeavour, in doing so, to trespass upon the time and attention of the House as shortly as possible. If he were addressing the Members from Scotland only, he could not imagine its being considered at all necessary that he should say anything respecting the evils that flowed from the present law of entail in Scotland, or to dwell even for one moment on the great amount of national grievance which that law inflicted. He would only say to them that the absolute necessity of some such measure as he was about to propose, was proved by the universality of the complaints which in Scotland were heard on all hands on this subject; but he trusted that he would be allowed very shortly to explain for the general information of the House some of the evils arising out of the present law. The Act of 1685, regulated for a long series of years the system of entail in Scotland; and by that, proprietors were enabled to carry the rights of property to a most extravagant and absurd extent, enabling them not only to point out by whom in all time coming a particular estate, whatever its value, might be held, but preventing any one of these from at any time altering the order of succession or the particular destination of the entail. So far, indeed, did the principle of restriction go, that no party holding such an estate, except when it was otherwise laid down in the provisions of the entail, could make any provision in favour of a widow or a child out of the fruits of the property; and it was even competent, under the Act, for the settler of an estate, not only to proceed upon the general principle laid down in it against the alienation of the estate, but even to render it impossible, on the part of any future holder, to alter so much as the arms upon his carriage, or the button upon his servant's livery, even though it should be for a period of 500 years. Under such a system no encouragement was given to the improvement of property; for it was not to be expected that a landlord would expend the means of improvement upon an estate which he had not the full power of realising for himself, and of which one individual only, his successor, got the entire benefit, while he had no liberty to provide for the wants even of his own widow and younger children—all improvements being for the sole advantage of the heir of entail. In order to remove some of the more glaring evils of this system, the 10th of George III., commonly called the "Montgomery Act," was passed. That Act provided for certain improvements, such as building mansions, and taking steps favourable to the better cultivation of the land, leaving a portion of the expense thus incurred to be liquidated after the death of the holder,

by succeeding heirs of entail. A Bill introduced by Lord Aberdeen, afterwards, entitled proprietors to settle upon their widows a certain amount out of the proceeds of the property. The result had been, that between these two Acts the entailed proprietors of Scotland were most of them embarrassed; and he had little hesitation in saying, that matters would, as regarded those entailed proprietors, gradually become worse and worse. The system was such, that even with respect to large estates, it had almost become intolerable; and as regarded small properties, there was no end to the absurdity of the system. These deeds of entail were employed for the perpetuation, not merely of estates of large extent—those owned by the great landed aristocracy of the country—but, from the great desire which, in his country, every man had to perpetuate his land, and to make it go down to a long line of descendants, of which they could see no end, there had frequently been entails executed of very small estates, even of houses situated in towns and villages. The consequence of this had been to take away the very capacity for improvement which otherwise would have existed, and to lower the character and position of the holder of the land. He would now endeavour, as briefly as possible, to state the nature of the measure he was about to propose. This was a task attended with a great deal of difficulty, and one that had been under the consideration of many able and experienced lawyers, who had for years considered the matter with a view to legislation. By the Act of 1685, there had been created a great variety of legal vested interests, and it was necessary to deal with those interests in any measure that might be introduced; and as regarded the principal evils which prevailed, he thought, after all the reflection which he had been able to give to the matter, that they could best be cured by amputation to a large extent. Those interests that were in themselves important, and which had a well-founded claim to protection, it would be his object to preserve and protect from infringement; but in those cases where a great number of persons stood in such relation to an estate as that they could scarcely expect ever to derive benefit from it—whose interests were shadowy and unsubstantial, and such as could not be felt—in respect of interests such as those they must be prepared to cut them off entirely if they meant to apply anything like a remedy. If that was not conceded in a liberal spirit, he should despair of making any effectual improvement in the law of entail in Scotland. In the proposed measure he would begin, in the first instance, with regulating future entails. It should be remembered, that though in regulating future entails something considerable could be done, yet they would by no means deal with the principal part of the evil, as the greater portion of the land in Scotland was now in entail. With respect to future entails, however, he proposed to make them in Scotland such as that they should be in all important details affecting the interests of the parties, and as to duration of time, the same as in England. He proposed that future entails should be created in the same manner as was at present in use. The deeds of that class should be in the usual form; and he did not propose, so far as it might appear on the face of the instruments executed, to make any change in the mode of protecting perpetuities; but he should enable certain specified parties, under certain circumstances, to execute a deed relieving their estates from the effects of the entail, and creating their title into a fee-simple. He should allow entails to continue throughout a certain number of lives, and from the termination of those lives for a certain number of years; but he would not enable parties under the age of 25 to rid their estates of the effect and operation of entails. He would suppose that an entail was created by deed bearing date the 1st day of March, 1848; suppose, also, that a person born after that day became heir to that estate, then he would enable such person—assuming that he was not in possession, but was next in succession to some person who did hold the estate—he would by the Act enable such heir, jointly with the man in possession, to execute a deed disentailing the estate; but he would by other clauses in the Bill make provision for the due protection of the interests of other parties who might be entitled to take after the holder and the next heir. The House would observe, that he did not merely propose that a man should be what was called of full age, but that he should not be entitled to disentail his estate till he acquired that additional experience and discretion which he might be expected to possess when he reached the age of 25. Those were the provisions which he intended to submit to the House as regarded the matter of future entails. Upon these

points he had consulted many eminent English conveyancers; and though there was great risk of producing confusion by any attempt to assimilate the law of real property in one country to the rules which prevailed under a different system, yet he hoped to be able to adapt the one to the other more nearly than had been accomplished by any previous attempts made for that purpose. He should now proceed to consider the subject of existing entails, and he feared that he should not find it easy to make the subject plain to the House. He would propose, in the first place, to date the origin of all existing entails from the passing of the Act, at least he meant that for the purpose of disentailing estates the law would take that view of them; the result would be that a party born after the passing of the Act would be able, if next in remainder to an estate, to join with the holder (and the rights of other parties being protected) to disentail the estate—always, of course, providing that the heir and the person in possession should be of the age of 25 years. This plan would, as he conceived, have the effect of assimilating the laws of both countries, for its operation would be quite analogous to levying a fine and suffering a recovery. Of course he hoped to make this mode of disentailing estates sufficient to establish for purchasers a clear title, for otherwise the Act would produce no beneficial results. For the sake of illustration, he would assume that there was no necessity for carrying protection further than twelve successive heirs. He merely meant that as an illustration; he saw no necessity whatever for carrying it so far. But suppose that twelve were in existence, and that the law had to deal with the interests of minors—he would suppose that there was a father of twelve children, possessing an estate entailed upon every one of his children successively; he and his eldest son, the latter being 25 years of age, desired to disentail the estate; he would not allow them to do so without the consent of one who should be a curator to the younger children, that curator being appointed with the sanction of the Court of Session, whose duty it would be to make a bargain on behalf of the younger children with the other parties concerned; he would not allow the holder to consent on behalf of his own minor children, for he might be a party deeply interested, because he might be an improvident father, and deeply in debt. Now, as regarded all beyond those twelve children and their possible issue, he would disentail the estate by the joint act of the holder of the estate, his eldest son, and the curator appointed by the Court of Session; and that was the mode with which he proposed to deal with existing entails. The next point he had to deal with was the provision for children. He proposed they should remain a real charge on the estate, with a power to sell portions of such estate, in order to pay them off. At present they were not a real charge, but they might be perpetuated as a charge on the rent. He thought the provision of the Bill would be a great advantage, both to the owner of the estate and the children. If they got rid of the absurd system of perpetuity, there could be very little objection to this course; but under that system of perpetuity it would have been absurd, to all portions of the estate to be sold, to pay off such charges as provisions for children, for it would have brought down many a large estate to a very trifling value. But if the parties were allowed to break the entail, the change might be made with advantage. The only other part of the Bill he wished to advert to was that respecting improvements. This was a great feature of the measure. Suppose a person at present laid out 20,000*l.*, he could not recover it from the estate; he could not even give good security for raising the money; he could only charge three-fourths of the amount, or 15,000*l.*, on the estate, against the next holder. He thought the capital necessary for improvements might be raised in another way, by taking the analogy of the recent Drainage Act. The sum might be made a charge on the estate for twenty-five or twenty-seven years; the holder could then go into the market and raise the money on this security. If he lived long enough, he paid off the debt; if not, the next holder was saddled with it; he thought this arrangement was fair and advantageous for all parties. Though he had not introduced it into his Bill, he should be very glad, if he was encouraged, to insert a provision respecting some other kinds of permanent improvements that might also be made a rent-charge. He thought money might very properly be laid out in buildings, or farmsteads, such as they had in Scotland, if built substantially, like those of the Duke of Buccleuch. Improvements so permanent as these might fairly be made a charge on the rent, for the next holder received the estate by so much increased in value; in fact, rendered far more valuable than if the

owner had sat with his hands across, and made no improvement at all. He should not refer to any more of the details of the measure, which might be better discussed at a future stage. Its whole object was to get rid of an absurd and preposterous system, which had been a curse to the country for 160 years: something must be sacrificed to accomplish this purpose; but he thought no sacrifice too great to effect it. He concluded by moving for leave to bring in the Bill.

Leave given.

House adjourned at One o'clock.

HOUSE OF LORDS,

Friday, February 25, 1848.

Minutes.] *Took the Oaths.*—Several Lords.

Public Bills.—1ª Administration of Oaths, &c., Court of Chancery.

Petitions Presented. From a great Number of Lodges of the Independent Order of Odd Fellows, Manchester Unity, for Extending the Provisions of the Benefit Societies Act to that Order.—From Pershore and Stourbridge, for the Enactment of Sanitary Measures.—From Glasgow and Clyst Honiton, Devon, against the Diplomatic Relations, Court of Rome, Bill.—From Sunderland and a great Number of other Places, against any Alteration in the Navigation Laws, until a Select Committe has Inquired into their Policy.—From the Presbytery of Dunbar, against the Admission of Jews into Parliament.

THE NAVIGATION LAWS.

The Earl of HARDWICKE said, that in rising, in pursuance of the notice he had given, to move for the appointment of a Select Committee to inquire into the state and policy of the Navigation Laws, he regretted that the task had not fallen into abler hands, for he felt how inadequate he was to perform it; but the subject was one of such vast importance to the commercial classes, and to the various interests of the empire at large, that he felt confident their Lordships would be disposed to bear with any failure on his part; and if he were only able to induce them to give their serious and grave attention to a subject now for the first time brought under the consideration of the House as a whole question, he should be fully satisfied, knowing that any deficiency on his part would be amply compensated by their Lordships' attention to the subject. Although the noble Lord opposite had had the courtesy to intimate that the Government did not intend to oppose the appointment of the Committee, yet notwithstanding this, he thought it due to their Lordships to state his reasons for moving for it; and he believed it necessary in other respects, inasmuch as there were various considerations connected with the subject which might not at once strike them, and which it would be right to mention to the House. In the first place, the question lay so much in detail—comprising so many parts, and of so complicated a nature in all its bearings—connected with so many trades and interests, as well as with the great and important national interest of self-defence, that it would be impossible in a mere debate to bring the whole of it before them. It was therefore necessary that they should have an opportunity of consulting with those who were practically acquainted with the subject; and the best mode of doing so, in his belief, was to lay before them the evidence of such persons. There was another circumstance of immense importance in the consideration of this question. It was with the deepest regret he felt himself called upon to mention that he had found abroad, in conversation with persons connected with those great interests, a feeling of doubt and apprehension, as well as a sentiment, not of disrespect, but of disgust, with respect to the conduct of the governing powers of this country. Such had been the sudden and immediate changes of opinion on questions connected with the grave policy of the empire, that it was not astonishing if persons out of doors entertained doubts whether there was any such thing as an opinion at all upon these matters, or, if there was an opinion, whether that opinion would be maintained. He regretted to say that the course pursued by Her Majesty's Government had been precisely of a kind to give rise to these feelings; and he was compelled, therefore, to endeavour to induce the House to grant this Committee, that he might find out, among other things, if there had been any such extraordinary or sudden change on this question as to have induced Government, in the space of six months, to alter directly their course, and from steering due north to steer at once to the south. On the 21st of December, 1846, the Shipowners' Society of London had an interview with Lord Clarendon at the Board of Trade. On that occasion it appeared, from the account of the deputation entered on the minutes of the society, that "they were graciously received, and were assured in the most distinct language that no intention whatever was entertained on the part of Her Majesty's Government of making any alteration in these laws." On the 15th of March, 1847, these gentlemen—doubting, as he supposed, whether they could depend

on the governing powers—went again to the Board of Trade, and asked the same question; and were again assured that there was no intention on the part of the Government to interfere in the question—that already an individual Member of Parliament had mooted the subject and moved for a Committee, which the Government would not feel justified in refusing, but that their bias and feeling were against any alteration, and that they would take good care the Committee should be a fair one, as they would appoint Mr. Milner Gibson chairman of it, being desirous to give every satisfaction to the parties interested. Here, then, was a clear proof that the Government declared they would not interfere with the Navigation Laws, and had no desire to change them. But on the 23rd of November there was a Speech delivered from the Throne, in which it was intimated that it was the intention of Her Majesty's Government to bring forward a measure involving some change in these laws. During the interval between March 15, and the delivery of the Queen's Speech, the public had been surprised by an announcement in an American newspaper, with an extract from which he would trouble their Lordships. It was headed "Repeal of the Navigation Laws." It stated—

"A correspondence has taken place between the British Secretary for Foreign Affairs and our Minister at that Court, relative to the repeal of the Navigation Laws of Great Britain. Mr. Bancroft applied to Viscount Palmerston, early in November, to learn whether Ministers would consent to establish with the United States a perfect system of reciprocity, in making all vessels of either country fitting out from any port in the world free to trade to any port of the other nation, whether home or colonial. Viscount Palmerston, after the lapse of some weeks, replied that although Her Majesty's Ministers did not feel at liberty to advise Her Majesty at once to make such a change in the commercial system as was asked by Mr. Bancroft, without the sanction of Parliament; yet as soon as that body should meet, a measure would be introduced which would embrace all the views put forth by Mr. Bancroft in his note. It is not doubted that Parliament will at once act favourably on the Bill. The importance to the United States of such a measure cannot be exaggerated. The British colonial system has been a most grievous restriction upon our commerce, and its annihilation, as promised by Viscount Palmerston, will open to our enterprising merchants the lucrative trade of the East and West Indies, and of the other British settlements, from which they have been hitherto debarred. This will be the greatest stride yet taken by free trade; and it is not to be doubted that all Europe will follow the example of Great Britain. The liberal commercial treaty made by Hanover with the United States has been, in no small measure, instrumental in disposing the British Government to this wise measure. The Rhine provinces have recently imitated the example of Hanover towards the United States; and everywhere, silently, but steadily, our commercial relations are being put upon the most advantageous footing. The repeal by Great Britain of the laws restricting the trade of the United States with her colonies will be far more beneficial to this country than any commercial treaty ever made by our Government."

He read this passage to show the manner in which the Americans considered the question, and to acquaint their Lordships, that it was the first notice the people of England received that there had been any intercourse between this country and the United States on the subject. Was it justifiable, he asked, that a Minister of the Crown should open negotiations which were contrary to the law of the land, with the Minister of a foreign country, and that the people of England should receive their first information of these negotiations in a newspaper published at Washington? In his opinion, any such overtures should have been communicated to Parliament. Not only had the country been entirely deceived with respect to the intentions of the Minister of the day, but the noble Lord at the head of Foreign Affairs had gone further, and had induced the people of the United States to believe that we were pledged to them to make some alterations in the law of the land. The course for the Minister of the Crown to have adopted on such an occasion would have been to say, "I cannot enter into this question with you, for it is contrary to law, and till that is changed, it will be impossible for me to speak of alterations." To deal with a subject of such vast importance, connected so intimately with the deep interests of the nation, and with the welfare of so many classes of the people, in the manner which had been adopted by the noble Lord, was unjustifiable towards the people of this country. Nor did his reasons to find fault with the conduct of the Government cease there, for Her Majesty's Ministry stated they would endeavour to use their influence that the Committee should be fairly constituted—that the inquiries before it should be conducted with impartiality. If they had done so—and he did not doubt it—the proceedings of that Committee, and the results to which it had come, were anything but fair. In the course of their investigation they had examined twenty-five witnesses in favour of the repeal of the Navigation Laws; while for their defence and maintenance only nine witnesses were called on to give their tes-

timony. The sittings of the Committee terminated, in consequence of the dissolution of Parliament, before they made their report; and they left nothing after them but a very one-sided collection of evidence, hardly any portion of the testimony which might have been given on the other side being contained therein at all. One circumstance alone that had occurred during the investigation would render it unfair and partial. A distinguished officer of the Royal Navy, Sir J. Stirling, had given his evidence in favour of the abolition of the Navigation Laws; but before he could be cross-examined, the Committee were informed that the duty of the gallant officer required his absence, and that he had been compelled to sail from England. Another reason why he deemed inquiry necessary was this. It had been always considered by persons in Parliament, and by the people of this country, that any paper issuing as a Government document from a subordinate officer of the Crown, as a return or statistical statement, contained facts which might be implicitly relied on. In fact, no other papers were ever considered worthy of much attention, and the Legislature confided in their correctness, believing them perfect as far as human knowledge and calculation could go. A most important paper had been issued as a return to Parliament, to which he begged leave to call their attention. It was set forth as a statement of the protected and unprotected trade of the country, and had been much commented on by the free-trade writers, who had used its statistics for the purpose of making out their case. Now he was perfectly ready to admit that if these statements had been true, they would have succeeded in making out their arguments for free trade; but that was not the case—the paper was false. The writer of this paper, who was, he believed, Mr. Porter, the gentleman at the head of the statistical department of the Board of Trade, had, of course, compiled it to suit and favour his own views with respect to our commerce, he being learned in that description of theory which was so popular now-a-days, and having a hobby of his own, which he was anxious to dress out in the best colours. Mr. Porter had compiled this paper, therefore, in order to show the great advantage which had arisen from unprotected trade; but the way in which he went about doing it was strikingly unfair, as he would prove to them. The report was drawn up in two columns—one showing protected, and the other unprotected trade; and a long list of places on the coast of Africa and Cape of Good Hope, St. Helena and Ascension, Mauritius, British India, British North American colonies, Australian colonies, British West Indies, fisheries, Jersey, Guernsey, &c. was given, from which Mr. Porter drew the following results:—In 1824 the tonnage of protected trade entered from their foreign ports amounted to 893,097 tons; in 1846 it advanced to 1,735,924 tons, showing an increase of ninety-four per cent. But in 1824 the unprotected trade was 904,223 tons, and in 1846 it was 2,558,809, showing an increase in the same period of 182 per cent. Now, his (the Earl of Hardwicke's) answer to this was, that the whole statement was a mistake—that the whole of the trade to which the question referred was protected. In these countries reciprocity treaties existed—ships could go from one country to another, carrying each other's goods; but the American, for instance, could not go to China to carry goods to us—the whole of the Chinese trade then was protected, for it was in our hands, as the Chinese had no fleet, while it was one of the most important we possessed. But in this respect it was returned as unprotected; and the trade with Brazil, Mexico, and South America generally, was placed in the same column, although in each instance it was highly protected by the very circumstances that these countries had no commercial marine, and that the ships of no other country could carry their produce to us. There was one feature in this report on which he might have commented in strong language: one of the largest items in the list of unprotected trades was that with France; and what did they suppose it amounted to in 1846? Not less than 556,824 tons. But the statement was not true, as he would prove from another portion of the paper. They would find in that year that the number of ships entered inwards from France amounted to forty-seven, of 7,101 tons. In this portion of Mr. Porter's return, this number was swelled to 228,186 tons. On the other hand, it could be shown that from 1824 to 1846 the increase in foreign tonnage had been enormous; for, while in the former year the amount of foreign tonnage in our ports (as we understood) was 758,599 tons, in 1846 it amounted to 1,803,177 tons, being an increase of 137 per cent. He now turned to another portion of the subject, and addressed himself to the speech made the

other night by his noble Friend opposite, in which he stated that it was for the advantage of the West Indies that the contemplated change in the navigation laws should take place. Now, so far as he (the Earl of Hardwicke) had had any conversation with gentlemen connected with the West Indies, he found that they scouted the idea of deriving any benefit from the repeal of the navigation laws. One gentleman had stated to him that the advantage which the whole of the West Indian colonies would derive from the change would not amount to the value of a 10*l.* note. It must be considered that if the rate of freights were reduced, that they must be reduced in favour of shippers of produce from other parts of the world, as well as those of the West Indies. But what would be the advantage of the reduction of freights to the consumer in this country? He believed that the repeal of the navigation laws might reduce the freight upon—say a pound of cotton—by the half of a farthing; so that the purchaser of a cotton dress of the value of 10*s.* would gain in the price a little less than a farthing. A somewhat similar result would take place with respect to tea. The fact was, that his noble Friend was the driver of a theory which was perilling the best interests of the country. Let them look, for example, at the state of our import and export trade with America, to the state of the West Indies, to that of our cotton manufactures, and to that of the national finances; and then let them say whether the projects of free-trade theorists were not perilling the safety of the country. The value of the imports over the exports in our American trade had been gradually increasing. He would, in proof of this, show the real value of imports to the United States, contrasted with the real value of exports from the United States, in the three several periods of five years each:—

	Exports.	Imports.
First period of five years, from 1815 to 1819 inclusive	£43,710,101	£15,822,686
Balance in favour of England...		27,327,415
Second period, from 1826 to 1830	28,443,366	21,803,465
Balance in favour of England...		6,639,901
Third period, from 1842 to 1846	30,458,513	66,136,454
Balance against England.....		35,677,941

What was the state of our cotton exports since slave-grown sugar had been admitted at reduced duties? The export—

From May 12 to September 12, 1846, to the Brazils	1,981,620
In sixteen months after the passing of the new tariff, to ditto	2,264,386
Increase	282,766

Eighteen months' credit exports not paid for.

An export duty on Brazilian sugar of 12 per cent. Raised her duties in 1845, and maintains them. Raised her revenue from 7,000 contos in 1845 to 16,000 contos in 1837.

Exports to Cuba, sixteen months before Act	322,488
Ditto, sixteen months after Act ...	210,732
Loss	111,756
Ditto, Porto Rico, ditto	4,820
ditto	1,892
Loss	2,938

COLONIES.

Exports of sixteen months in 1845 and 1846 to—

Bombay	1,643,515
Sixteen months, ending the 12th January, 1848	1,179,763
Loss	463,752
Calcutta	2,816,585
Sixteen months' ditto	2,174,008
Loss	642,577
Madras	102,490
Sixteen months' ditto	107,494
Gain	5,004
Mauritius	89,782
Sixteen months' ditto	41,189
Loss	48,593
British West Indies	827,483
Sixteen months' ditto	638,175
Loss	186,308
Total loss	1,339,224
Total gain	282,766 unpaid.

It was computed that 70,000*l.* has been saved to the manufacturers of cotton by cheap sugar, to meet the above loss. The total loss to the cotton manufacturer who was desirous to have cheap sugar was 1,339,324*l.*, and the gain 282,000*l.* He was justified in saying, that the course of policy Government was pursuing was de-

structive of the best interests of the country. No doubt it might be said that these considerations were foreign to the main subject of his Motion. Nevertheless, he felt that in every case in which their Lordships were called upon to make a legislative move in the direction of free trade, it was their duty to lay before the people of this country the history of the progress of free trade, and to impress upon them, over and over again, the results which had flowed from the policy which they had been pursuing, in order to show how necessary it was that a stop should be put to it. He would now, however, proceed to the consideration of the subject immediately before their Lordships. Their Lordships were aware that the so-called navigation laws were a number of Acts of Parliament passed in various periods for the purpose of regulating the trade and navigation of the country. These Acts extended back to very ancient times; but as one of them had been passed in the reign of Her present Majesty, they could not be said to have become antiquated or obsolete. Now, by these Acts the whole of our coasting trade must be carried on by British-built vessels, sailed by British masters, and manned by British seamen. The whole of our colonial trade, in the same manner, was placed under the same regulations, with this trifling difference, that, speaking in round numbers, one-fourth of the crew of a British ship so engaged might be foreign. Our trade with the rest of the world was in a state of reciprocity—in other words, foreign ships were allowed to enter our ports on the same terms as those granted by the foreign nations to our vessels. At present, however, one of the schemes in agitation was, to open up the trade of the world in favour of the United States. Such would, in his opinion, be a most fatal course of policy; for he believed that in the present condition of this country it would amount to the absolute ruin of our colonial trade. That trade employed 40,000 seamen; but the American mercantile marine was increasing so fast in power and efficiency, that it was likely it would soon be able to compete successfully with our own. He found the increase of British shipping to be as follows:—

In 1700	... ...	216,000 tons
1815	... ...	2,600,000 "
1847	... ...	3,800,000 "

Now, compare the amount of American shipping, which was as follows:—

Entrances and Clearances of American and Foreign Shipping for the Year ending June 30, 1847.

Entrances, exclusive of coasting vessels.

	Ships.	Tonnage.
American	7,730 ...	2,101,359
Foreign	6,449 ...	1,220,346
Total crews ...	163,189	

Clearances.

American	8,102 ...	2,202,393
Foreign	6,258 ...	1,176,605
Total crews ...	165,792	

In the President's Message this statement was made—

"Should the ratio of increase in the number of our merchant vessels be progressive, and be as great for the future as during the past year, the time is not distant when our tonnage and commercial marine will be larger than that of any other nation in the world."

And with this expectation on the part of the Americans, and their efforts to realise their expectations, we were about to surrender our navigation laws. Why, then, were we to make such surrender? What could the Americans give in exchange? Nothing! Where, then, was the reciprocity? We had our colonial trade in our own hands, and yet we were about to give the Americans such advantages as could not fail to ruin that trade. Look at the trade with China. The Americans sent cotton there, and took back tea. We could not compete with America. The American marine was manned with our own seamen; this was another evil, and one that perilled our maritime superiority. Take the whale fishery in the South Seas, and see what we had sacrificed, and how the Americans had benefited by our folly. The following extract would illustrate his argument:—

"South Sea whale fishery, up to 1824, a bounty was given. A protecting duty from that time to 1830, of 39*l.* 18*s.* per tun on sperm oil. In 1830 it was reduced to 15*l.* per tun. The duty ceases in 1848. Result, in 1820, employed 137 vessels, at 350 tons; 48,000 tons of shipping, with 4,000 men. American importation of oil, 500,000*l.* to 600,000*l.*; price to the public at the period was from 50*l.* to 70*l.* per tun. In 1845, not a single ship cleared out for this fishery. Americans have now 720 ships, and 20,000 men."

This was free trade. The Americans had 720 ships and 20,000 seamen. And what was the consequence. We were now paying a higher price for oil, and, in addition, were obliged to take the oil from the Ame-

ricans, where we once had a very profitable trade. Now let us look at the state of our trade with those countries with whom we had reciprocity treaties:—

TABLE, SHOWING THE DATES AT WHICH THE VARIOUS RECIPROCITY TREATIES HAVE BEEN CONCLUDED, THE TONNAGE ENTERED INWARDS DURING THESE YEARS RESPECTIVELY, COMPARED WITH THE TONNAGE IN THE YEAR 1845, AND EXHIBITING THE INCREASE OR DECREASE IN THE TRADE WITH EACH COUNTRY.

Country.	Date of Treaty	Tonnage.	
		British.	Foreign.
Prussia	April 2, 1824	94,664	151,621
	— 1845	49,334	256,711
	Dec. of British	45,330	
	Inc. of Foreign	...	105,090
Swedn & Norway	May 25, 1824	28,493	175,364
	— 1845	16,372	219,820
	Dec. of British	12,121	
	Inc. of Foreign	...	44,456
Denmark	June 16, 1824	6,738	23,689
	— 1845	4,528	84,566
	Dec. of British	2,210	
	Inc. of Foreign	...	60,877
France.....	Jan. 26, 1823	89,301	57,171
	— 1845	552,925	222,527
	Inc. of British	463,624	
	Inc. of Foreign	...	165,365
U. S. of America	Aug. 6, 1827	73,204	217,535
	— 1845	223,676	444,442
	Inc. of British	150,472	
	Inc. of Foreign	...	226,907
UnitdNetherlnds	Oct. 27, 1837	216,593	102,301
	— 1845	286,569	226,030
	Inc. of British	69,976	
	Inc. of Foreign	...	123,729
Germany	March 2, 1841	187,972	110,348
	— 1845	205,130	115,253
	Inc. of British	17,158	
	Inc. of Foreign	...	4,905
Russia	Jan. 11, 1843	314,682	47,883
	— 1845	380,864	75,678
	Inc. of British	66,182	
	Inc. of Foreign	...	27,795

Now, with regard to France. This extraordinary amount of tonnage, and still more extraordinary increase, having led to more minute inquiry, a return was presented to the House of Commons (Parliamentary Paper, No. 28), from which it appears that of 556,821 tons entered inwards in the year 1846, 228,189 tons consisted of forty-seven steam-vessels, chiefly carrying passengers alone, and measuring in the aggregate but 7,150 tons, many of them also Government vessels. These steamers were magnified into the enormous amount recorded, by the multiplication of the number of passages made between the French and English coasts, one vessel alone, the *Prince Ernest*, of 145 tons, figuring in these Custom-house returns as 24,215 tons of British shipping. The number of trips across the Channel by sailing vessels in the French trade is so great as utterly to vitiate all conclusion.

And, with the exception of three States, we had diminished our trade, while the foreigner had increased his trade. It was, therefore, perfectly clear, if you opened the trade, that you must take another step. You must consent to give up the building, fitting out, and equipment of ships. The shipowner must be permitted to go to foreign yards, where he could get his vessels built cheapest. The merchants' yards here would then be reduced in number and efficiency; and thus further disadvantages would result. We should also be dependent for our merchant ships on foreign shipbuilders. Presuming that the shipowner would go where he could build cheapest, it was necessary to see if England would be his building country. Now let them compare the price of building in foreign countries. The average cost of building ships was 17*l.* 10*s.* a ton. In the United States the same ships could be built for the following sums:—

PRICES OF SHIPS.

"The price of new British-built ships, for distant voyages, 17*l.* 10*s.*

	£.	per cent
500 tons would cost	8,750	
United States ...£14 10 pr ton...	7,250...	17½
Holland..... 14 0 ,, ...	7,000...	20
France .....13 10 ,, ...	6,750...	22
Denmark & Norway 12 0 ,, ...	6,000...	31 4-10
Bremen.....11 0 ,, ...	5,500...	37 1-10
Sweden .....11 0 ,,	—	—
Prussia (oak) ..... 9 10 ,, ...	4,750...	45 7-10
Finland..... 8 10 ,, ...	4,250...	51 4-10

"The average is taken of British ships as ranging between twelve and eight years. The best foreign ships would be nine-year ships."

If that were true, what chance had English shipowners or shipbuilders, and the various trades connected with shipping, against foreigners? But if the Government were to proceed in the course pointed out, they would also be bound to admit foreign seamen as well as foreign shipping; for it was utterly impossible that the British merchant could compete with the foreign shipowner, unless he was relieved of the burdens now imposed upon him in the shape of interdiction of the employment of foreign seamen. By a summary of the expenses of a foreign and a British ship of 500 tons each, having the same number of officers and nearly the same number of men, the following results were apparent:—

"Relative Expenses of British and Foreign Wages to Officers and Men of a Ship of 500 Tons, for One Year.

"Each ship having captain, chief mate, second and third mates, boatswain and his mate, one carpenter, cook, and the number of seamen each ship carries, in all—

	Men.	Per Month.	Per Year.
British	26	£65 10 0	£786 0 0
United States	19	55 15 0	669 0 0
Dutch	23	53 7 0	640 12 0
Prussian	20	27 12 0	331 10 0
Swedish	20	32 18 0	395 0 0
Bremen	22	39 5 0	471 0 0"

Their Lordships should remember that the military and the commercial navy of this country were one and the same — that the mercantile navy, in short, was the marine militia of the State, wherefrom the resources of the military navy were drawn. Therefore, the support of that navy should not be neglected, for this country could not have a large body of men drilled to both services, as the Russians had; and if it were to have a Navy, it should also have a nursery for seamen. He (the Earl of Hardwicke) repudiated the doctrine of Sir James Stirling, that British merchant seamen were of no value, as a senseless absurdity, which he wondered any man of mind could entertain for a moment. There was, in fact, no means of manning the military navy of this country, in time of emergency, except through the commercial navy. It might be true that not one-tenth of the military navy at present afloat was drawn, periodically, from the commercial navy; but that arose from the circumstance that sailors in the service of Her Majesty were so well cared for, that they did not willingly leave it. The moment, however, there was a demand for recruits, to the merchant service the country would be obliged to recur at once. It was curious, at this time, to observe that the effects of free trade upon British shipping had been made apparent long since, when a similar tampering as that now proposed took place with the navigation laws, and an Act was passed to prevent the evil consequences that had accrued, viz., 1 James II., cap. 18. In the preamble of that Act it was recited:—

"Whereas, for some years past, and more especially since the laying a duty upon coals brought into the river Thames, there has been observed a mere than ordinary decay in building ships in England, and particularly in Newcastle, Hull, Yarmouth, Ipswich, &c., &c., where many stout ships were yearly built in the coal and other trade, which were of great use to His Majesty in time of war, and a nursery for able seamen; but by the discouragement that trade hath ever since been under, occasioned chiefly by the freedom wherewith foreign ships and vessels, bought and brought into this kingdom, have engaged in the coal and other inland trade, equal to that of English-built ships, the merchants, owners, and others have not been able to build as formerly, which hath caused many English shipwrights, caulkers, and seamen to seek their employments abroad, whereby the building trade is not only lost in several places, and in others very much decayed, but also the importations of timber, plank, hemp, pitch, tar, iron, masts, canvas, and other commodities used in building and fitting out ships, are greatly lessened, to the apparent prejudice of his Majesty's customs, the loss of a considerable employment for shipping, and consequently of all other trades depending thereon, to the great advantage of foreign nations—Be it enacted," &c.

If things were as this recital described on that occasion, he (the Earl of Hardwicke) saw no reason to suppose that they would be otherwise on the present occasion, or that they should not return to that deplorable state. He should only say that if the country was determined to have an efficient and an economical navy, and moderate naval estimates, it would take care that the merchant navy of England should never want a monopoly of that trade which was necessary to maintain a sufficient supply of seamen for a time of war. The noble Earl concluded by moving for a Select Committee on the Navigation Laws.

Earl GREY said, that, although on the part of the Government he should not oppose the Motion, he was bound to state that he did not at all think inquiry into the subject necessary. He did not, he repeated, consider any fresh inquiry into the Navigation Laws requisite, on the one hand; but, on the other, he was free to admit that he saw no possible objection to it. If it was not necessary, it was attended with no inconvenience; on the contrary, he thought the more light was thrown upon the subject, the more decided would be the conclusion come to, that

these laws were not only inconvenient, but positively detrimental to the interests of those classes connected with the shipping trade. As there was to be an inquiry, and as the whole of this question was to be brought before them, he saw no reason why he should enter into any argument upon it. He was perfectly willing to submit to any prejudices which might at present exist upon this subject, convinced that time would prove him right; for, indeed, he did not fear that their Lordships would be led away by the opinion that free trade was a folly and a delusion, and that Adam Smith, and all the other illustrious statesmen who followed his doctrines and maintained his opinions, were under similar delusions as to the effects of free trade. Still less did he think it necessary to follow the noble Lord into all his details respecting the French navigation laws, although he did not think it would be difficult to point out many false inferences which he had drawn, and many erroneous convictions into which he had fallen; but he did not think it was the proper time. He thought it would be more fitting to do so when the whole question came before them, and then, when that time arrived, he had the utmost confidence they should be able to prove to demonstration that British commerce and the shipping interest had deeply suffered from the complicated, inconsistent, and inconvenient system of restriction which now existed, restricting the right of using foreign ships. He (Earl Grey) would not touch on the argument of the noble Earl as respected the colonies, further than to say, that when the noble Earl said it would be a disadvantage to the West Indian colonies to have a repeal of the Navigation Laws, the noble Earl was entirely and altogether at issue with the West Indians themselves. As far as public documents were conclusive upon that question, they were, on the contrary, all in favour of the repeal; and he believed that there was not a House of Assembly in the West Indies that had not petitioned Her Majesty to relieve those colonies from the operation of the Navigation Laws. He (Earl Grey) would merely make one or two further remarks upon some observations on the first part of the speech of the noble Earl. A charge had been brought against Her Majesty's Government by the noble Earl, that they had changed their opinion on the subject of the Navigation Laws; and he had founded his charge on the reported reply of his noble Friend the present Lord Lieutenant of Ireland, when President of the Board of Trade, when during the course of last year he was waited upon by various deputations, who sought to be informed whether the Government intended to bring in any measure with reference to those laws. And his noble Friend (the Earl of Clarendon) in answer to them, stated that there was no intention then on the part of the Government to propose any change in the Navigation Laws. His answer was most strictly correct: there was no intention of proposing any measure in the last Session of Parliament. He was satisfied, however, that his noble Friend had never let fall a word on that occasion in favour of the existing system; but, on the contrary, he felt satisfied his noble Friend was then decidedly in favour of such change. The next charge was, the publication in America of copies of the correspondence of the noble Lord at the head of the Foreign Office with the American Minister in this country, on the subject of the intentions of the Government with regard to the Navigation Laws. The noble Earl stated the Government had informed that Minister that a change would be made — though they had not the power to make it unless with the consent of Parliament. But nothing was more usual among nations having constitutional Governments than undertakings to submit certain measures to their respective Legislatures. It was the course adopted in the great majority of commercial cases. In such cases a Government enters into confidential communication with foreign Powers to ascertain their views; and then submits their own project founded upon them to Parliament. The noble Earl did not state that Her Majesty's Government had entered into a treaty on these conditions; he only complained that on the eve of Her Majesty's Speech to Parliament, the Foreign Secretary had informed the American Minister that he believed a mutual relaxation of the restriction that existed on the shipping of both countries would be very advantageous, and that the Government were prepared to propose it. The noble Earl had complained of the manner in which the Committee of the other House on the subject of the Navigation Laws had had been selected; but he (Earl Grey) did not think it either a usual or a convenient course to discuss in that House the way in which the affairs of the other branch of the Legislature were conducted. The inquiry, however, before the Committee, he (Earl Grey) could state to their Lordships was carried on in the strictest spirit of jus-

tice, and with the most scrupulous care and attention. The noble Earl had described the statement of Mr. Porter, on the subject of the Navigation Laws, as a falsity; but their Lordships would find that, upon strict examination, the allegation of falseness would vanish altogether. The figures, according to the noble Earl, were incorrectly stated, and the numbers were wrongly given; and the noble Earl had also said that a mistake was made by that gentleman in classifying some portions of the shipping trade as protected, whilst other portions of it were not protected. In that statement he (Earl Grey) was inclined to agree. As far as the figures were in question all was correct: there were no blunders. Mr. Porter stated the case in one way, the noble Earl stated it in another; but he (Earl Grey) did not, therefore, admit the charge of falseness. The noble Earl objected that a ship making ten voyages was set down as ten ships; but he (Earl Grey) contended that a ship making ten voyages was practically ten ships as far as the tonnage was concerned, and must be reckoned as such. To proceed on any other principle would be altogether a most fallacious mode of acting. With respect to the proposed inquiry, he was sanguine in believing that the result of it would be to afford still stronger and more decisive evidence in favour of the expediency of the alteration of those laws, which he hoped their Lordships, before the conclusion of the Session, would see effected.

The Earl of ELLENBOROUGH rejoiced that the noble Lord was willing to grant the Committee; but when he found the noble Earl intended to proceed to legislate with respect to the Navigation Laws without waiting for the report of the Committee, he saw that the Government did not intend that the granting of the Committee should be of much use to those who asked for it. He inferred from the twofold statement of the noble Earl, that it was the intention of the Government to introduce a measure on the subject in the course of the Session, and that it was his opinion that the existing law was injurious to the mercantile interests and commerce of the country—that, in his opinion, the changes which the noble Earl would introduce would be advantageous to commerce. If such should be shown to be the result of the proposed alterations, he (the Earl of Ellenborough) would be most willing to acquiesce in them. But he trusted their Lordships would not agree to any change whatever in the Navigation Laws, unless they were satisfied the result of the change would be to increase the navigation and tonnage and the number of seamen employed by this country. Whenever the proposed alteration was brought before their Lordships he should come to the consideration of the question with that principle fixed in his mind. He concurred in the opinion expressed on this subject by his noble Friend (the Earl of Hardwicke), though he arrived at the same conclusion from different premises. For his noble Friend considered that in all matters of commerce protection should be the rule, and free trade the exception; whereas he (the Earl of Ellenborough), imbued from a very early period of his life with the doctrines of Adam Smith, was of opinion that free trade should be the rule, and protection the exception; but the Navigation Laws appeared to him, of all others, to be the case that formed the exception. It had been observed that the West India interest was in favour of, while the shipowners of this country were adverse to, an alteration of those laws. He was not surprised at such being the case. The West India interest was not called upon to look to the maritime interest of this country; all that they looked to was the mode of sending their own produce cheaply to the market; and, therefore, they might very reasonably join in the demand for the abolition of laws which they believed to stand in their way. They believed they suffered from those laws, and they therefore protested against them; but the shipowners here apprehended not only injury to themselves, but danger to the whole shipping interests of the empire, from such a course as was now contemplated; and their opinion was surely of some value. There were other points which had been referred to, and to which he hoped the inquiry would be extended; and if, under the form of his noble Friend's Motion, the inquiry could not be so extended, he should be disposed to add a few words to it to effect that purpose. His noble Friend had relied on the official statement of the tonnage of shipping; but he feared that no satisfactory reliance could be laid on that statement, which was so confused by the repetition of voyages inserted in it that the amount of tonnage given in it did not show the quantity of shipping. It would be absolutely necessary to have those accounts framed on a totally different

principle. There was another point to which he should likewise desire to have the attention of the Committee directed. At present ships were by law obliged to take a certain number of apprentices, according to their tonnage—a policy the obvious intent of which was to increase the number of seamen at the disposal of the State. But if the matter were closely investigated, he feared it would be found that more young men were brought by it into the naval profession than could be absorbed by the vacancies arising from death, or by the increase of navigation. Thus, it led to the elder seamen being thrust out of employment by the younger men, and thus deprived of the means of support. It would be found, he thought, on investigation, that two-ninths of all the seamen we had to rely upon to recruit the Navy were apprentices under 20 years of age. He apprehended that the statement of the naval force of the United States which had been referred to, would not be found to be quite correct, But, undoubtedly, it was a matter of grave consideration if the number of seamen belonging to the United States was 112,000, and if, as it was stated, 100,000 of them were foreigners. What proportion of that number was composed of English seamen he knew not; but he was quite satisfied that when an English seaman made two or three voyages in United States' ships he did not usually return to the service of his own country, though perhaps the man who had only made one voyage in them sometimes did. But what he particularly begged their Lordships' consideration to was the vast importance to this country of retaining a great commercial marine. He regretted that in time of peace there was not that constant interchange between the maritime service of the State and the mercantile marine which was desirable; in time of peace the value of such a system was not perceived; but when war came, the merchant service was the reserve force of the State, and it was the possession of a permanent mercantile marine, which had hitherto given them the superiority over other nations. Russia or France, from their arrangements, might in the commencement of a war put a more powerful fleet to sea than we could; but they could not like us draw upon the reserve of a mercantile marine, which had enabled us in the last war to obtain a superiority which he trusted we should never lose in the case of another. He agreed with his noble Friend that nothing could be more absurd than to suppose that on a war breaking out, we could man our fleet without having recourse to the old system of impressment. He had read a great many plans for manning our Navy, which might be good enough if but 4,000 or 5,000 men were wanted; but when a number of men equalling the one-half of our mecantile marine were wanted, those plans became nugatory and of no avail. We had relied formerly on our preponderance at sea for the protection of our coasts from insult and danger; but the application of steam to ships of war, rendering them independent of all uncertainty of the winds, which formerly might impede the movements of a squadron, had interfered greatly with that preponderance. Had the French fleet in the last war been composed of steamers instead of sailing vessels, the result might have been very different from what it really was. He now told them they could not rely on their former preponderance—they must attack the enemy in his ports, and not remain in a cowardly manner to await the enemy's attack in the hope of protecting their own coasts. But whatever precautions they took, let them depend on it they must have here behind them a force sufficient to protect the heart of this country from the direful and to them strange calamity of an invasion.

Motion agreed to.

House adjourned.

HOUSE OF COMMONS,

Friday, February 25, 1848.

MINUTES.] PUBLIC BILLS.—1° Appeals in Criminal Cases. 2° Landed Property (Ireland).

Reported.—Consolidated Fund (8,000,000*l.*).

PETITIONS PRESENTED. By Mr. Beresford, and other hon. Members, from several Places, against, and by Sir John Guest, and other hon. Members, from several Places, in favour of, the Jewish Disabilities Bill.—By Mr. Devereux, from Haverfordwest, and by Sir W. Molesworth, from Lambeth and Southwark, against the Roman Catholic Charitable Trusts Bill.—By Sir R. H. Inglis, and other hon. Members, from several Places, against the Roman Catholic Relief Bill.—By Sir W. Molesworth, from Southwark, for Inquiry respecting the Rajah of Sattara.—By Mr. Hume, from British Guiana, to take into Consideration the State of the West India Colonies.—By Colonel Anson, and other hon. Members, from several Places, for Repeal of the Duty on Attorneys' Certificates.—By Mr. M'Gregor, from Glasgow, for Inquiry into the Excise Laws.—By Captain Berkeley, and other hon. Members, from several Places, against the Continuance of the Property Tax.—By Lord James Stuart, from Ayrshire, for an Alteration of the Banking Law.—By Lord Robert Grosvenor, from Thomas Bainard Chappell, of No. 1, Farm Street, Berkeley Square, Westminster, for Compensation (Courts of Special and Petty

Sessions Bill.—By Mr. Grogan, from Wexford, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Cockburn, from Southampton, for Abolition of Grand Juries.—By Sir William Clay, from Bethnal Green, and Mr. Wood, from Oxford, for Sanitary Regulations.—By Mr. Sharman Crawford, from Kildare, for an Alteration of the Law of Landlord and Tenant.—By Sir Edward Buxton, and other hon. Members, from several Places, for Retrenchment of the Naval and Military Expenditure.—By Mr. Pole Carew, from Cornwall, against a Repeal of the Navigation Laws.—By Sir Robert Ferguson, from Londonderry, against the Passengers' Bill.—By Mr. Moody, from Wellington (Somerset), and by Mr. Osman Ricardo, from Worcester, for an Alteration of the Poor Law.—By Mr. Charles Howard, from the Clerks, Masters, and Matrons of several Workhouses, for a Superannuation Fund for Poor Law Officers.—By Lord James Stuart, from Irvine, for an Extension of the System of Postage.—By Sir H. F. Davie, from Haddington, and by Lord J. Stuart, from Ayr, for an Alteration of the Law of Prisons (Scotland).—By Sir Edward Buxton, from Halstead (Essex), for Abolition of the Punishment of Death.—By Mr. Cobden, from Brixton (Surrey), for Inquiry into the State of the Nation.—By Lord James Stuart, from Irvine, for Inquiry respecting Turnpike Roads, &c. (Scotland).—By Mr. Clay, and other hon. Members, from several Places, for Referring War Disputes to Arbitration.

LOANS AND GRANTS TO IRELAND.

Sir H. WILLOUGHBY wished to ask the Chancellor of the Exchequer, "the loan of eight millions of stock having produced in 1847 the sum of 7,963,674*l.*, whether any and what portion of such money is in the Exchequer, or was in the Exchequer on the 1st of January, 1848; and whether there is any objection to place on the table of the House an account of the expenditure of the said loan? Also, whether the 420,000*l.* of the China money detained at the Cape may be taken as a deduction from the 1,100,000*l.* expended in carrying on the Kafir war?"

The CHANCELLOR of the EXCHEQUER could not give a precise answer in figures to the questions of the hon. Gentleman; but he thought he could give an answer which would probably be satisfactory to him and to the House upon the first point. The amount of eight millions, or rather the net amount produced, was, according to the provisions of the Act of Parliament, carried to the credit of the Consolidated Fund; the practice of late years having been not to keep open several different accounts, but to place the whole sum received under one head. He stated about this time last year that the amount required in one way or another for the relief service, and for the improvement of Ireland, was ten millions. He stated then that about two millions had been advanced, and he proposed to take a loan of eight millions for the purpose of future advances. That sum was to be applicable to the relief fund in the course of last summer, and for loans for the purpose of improvements of the land and to advance certain railways. Now, advances for the improvements of land were going on from day to day, and up to the present time about nine millions had altogether been advanced. Consequently there was something like a million still in the Exchequer, something between 900,000*l.* and 1,000,000*l.*, which was applicable, in one way or another, to Irish purposes. To the second question he thought he had given an answer the other day. When he made his financial statement last year, there remained the sum which he mentioned of the China money applicable to that year. He had fully expected to have drawn that sum in the course of the last summer from the commissariat chest; but the commissariat's department had had such heavy drains upon it, that he was unable. He proposed to take a vote that night to repay the commissariat's chest the advances it had made for the extraordinary expense of the Kafir war; and the Chinese ransom would be available for ways and means this year.

INSURRECTION IN PARIS.

Viscount PALMERSTON said, in answer to Mr. Hindley: The latest intelligence which I have received from Paris is dated half-past six o'clock on the evening before last. These despatches inform me of the retirement of M. Guizot, and that M. Molé had been appointed to form a new Government; later than that I have no official information.

INCOME AND EXPENDITURE.

The Order of the Day for the House to go into a Committee of Supply having been read,

On the Motion that Mr. Speaker do now leave the Chair,

Mr. HUME was very sorry that he felt himself called upon by an imperative sense of duty to interfere in any way with the proceedings of Her Majesty's Government, in obtaining those supplies which they thought requisite to carry on the services of the country; but he appealed to the House whether, when they agreed to advance 3,200,000*l.* towards the expenses of the Army and Navy, it was not distinctly understood that they were not to be called upon to vote any estimates until the Committee to be named on the subject had reported. It would be recollected that when the vote for the excess of the Navy was proposed the other night, it was pronounced

to be one of the most objectionable votes on the Paper. He, therefore, for one, could not subscribe to the opinion that this vote should be taken without debate. [The CHANCELLOR of the EXCHEQUER: It was distinctly understood that the vote on account should be taken on Friday night.] He objected to any money being voted until they had ascertained what was the situation of the revenue, and how far the circumstances of the country would warrant the imposition of new taxes, or the increase in the establishments at the rate that was proposed. He would not go into details, his only object being to impress on the House the necessity of inquiring into the estimates, and to get from the House a pledge that no additional taxation and no additional estimates should be made until an inquiry had been instituted as to the absolute necessity of such a course. The universal opinion throughout the country was, that the Government had proposed an unwarrantable increase in the expenditure of the country. The House was much to blame for having permitted the gradual increase in the expenditure that had taken place. He himself had always protested against it; but the Government proposed an increase at a time when the commerce of the country was paralysed, and when the utmost distress prevailed. Such was the uncertainty of affairs, that the mercantile community were averse to enter into any enterprise which should extend beyond a few months. Was that a time for the Government to propose a large increase in the expenditure? The noble Lord had alluded to the increase from 135,000*l.* to 196,000*l.* in the Army, Navy, and Ordnance estimates with the utmost *sang froid*, as if it were only for the noble Lord to announce it, and for the people to yield and pay it. The Army had been increased from 100,000 in 1833, to 138,000 in 1847. The coast guard had been increased from 8,000 to 13,000. Ths entire increase of expense had been from 240,000 to 350,000 for the public service. He conceived he was only acting with common charity towards the Ministers in stopping them in this downward career. They were mistaken if they supposed the country was in a condition to bear increased taxation. It was proposed that they should convert this peaceful country into a nation of arms; and to such a proposal he decidedly objected. He submitted that they ought not to advance a shilling until they had compelled Her Majesty's Government to adopt measures of retrenchment. He said compelled, because no suggestion of his or of any other hon. Member had any effect. At the end of last Session he recommended the appointment of a Committee to revise the taxation of the country, and to ascertain whether the amount of money required for its service could not be raised in a less burdensome and less objectionable manner. He had, therefore, expected that the Chancellor of the Exchequer would have made a statement to meet in some degree the clamour—if they chose to call it clamour—which had taken place; for great discontent prevailed on the subject; and the universal feeling in Scotland was, that the whole of the laws relating to the Excise ought to be reconsidered. It did not appear from the speech of the noble Lord (Lord J. Russell) that any preparation whatever had been made to meet the just expectations of the country in this respect. It appeared to him that the Government had been asleep, and he thought it high time to wake them now, and to let them know what the country thought and required. He ought not to be accused of taking them by surprise. On the 30th of November last he had asked the noble Lord (Lord J. Russell) whether he intended to appoint a Committee to examine into the revenue and expenditure of the country; and, on receiving the noble Lord's answer, he had given notice that he himself should move the appointment of such a Committee. He did not, however, follow up that notice, because he knew that the demand would be made upon the Government whenever the House should be called upon to renew the income-tax. He wished to undeceive the country with regard to the state of the revenue. Every hon. Member who had spoken in favour of our taxation, had talked of the decrease in the revenue. A more fallacious statement never had been made. He would presently show the House what was the state of the revenue. Meanwhile, he wished it to be recollected that he had always said, that whatever distress there might be in the country, one of the most disastrous results to all classes would be any attempt to interfere with the public credit. Well, then, what course would a private individual pursue to preserve his credit if, after an examination of his affairs, he found himself involved? Would he launch out into further expenses, or would he revise and curtail his expenditure, and so maintain his honour? He called

on Her Majesty's Ministers to adopt the course which every honest man would pursue in the conduct of his own affairs. His object was to promote, and not to injure, public credit. If the House would not interfere, it was clear that Her Majesty's Ministers would not; and he put it to hon. Members to say whether the House was not responsible to the country for the proper administration of the public taxes and expenditure? If the House was satisfied that it had hitherto done wrong in sactioning a lavish expenditure, they ought to retrace their steps. He had several returns which had been made to the House, and among them was the Parliamentary Paper No. 324 of the Session 1846, being an account of the public income and expenditure in each year from 1822 to 1845. It appeared to him an extraordinary thing that, after so many years of peace, we should come back to the same state of income and expenditure as was found in 1822. In 1825, 1826, and following years, when he pressed for a reduction in the expenditure, he was told that matters on the Continent were not settled—that France had not yet settled down to her regular government. For his part, he had always protested against interference. Any meddling or interference on our part with the affairs of other States, could only produce rancour and ill-will among the people there. Could we now, after a settled dynasty of fifteen years in France, maintain that our army had tended in any degree to maintain the established order of things? On the contrary, from all the accounts he had heard, he expected to see Louis Philippe arrive in London in the course of a very few days. He (Mr. Hume) was anxious that the House and the Ministry should not be led away with the idea that it was a military force that would maintain a Government in those days. He could only say that he marvelled at the folly of a man so wise in his generation—who, taking upon himself the honourable and immense charge of the representative of a large, free nation, should believe that by expending seventy or eighty millions of their money to surround his capital with forts, and by adding to those forts 100,000 men, he could secure his dynasty. Why, what did the *Times* tell them that day? "The people were"—["Question!"] He would apply this passage immediately—he would show them that if they were to proceed in the same way, and make this a military nation, they would create dissatisfaction and distress amongst all classes. He would only read three lines—

"The people were in the presence of an army of 100,000 of the finest troops in the world, with artillery and stores unlimited in number and amount, and who were congregated in barracks, forts, citadels, nearly impregnable, with the king's name to support them. Those unarmed men defied and withstood charges of cavalry in the largest square of Europe throughout an entire day, and formed barricades, and committed what, but for the object, would merit the name of outrage, with a coolness and audacity perfectly marvellous, and in the very presence of troops four times more numerous than themselves."

Was not that a lesson? And who was the party that did it? It was that party for whom he was now anxious to appeal to that House. It was the middle class, with its strength and sinew, the labourers of the country. He hoped no Sovereign of England would ever forget the language of Queen Elizabeth when asked where were her battalions to meet the Spanish invasion? She replied that her support was in the hearts and sinews of her people. He would ask the noble Lord why 30,000 or 40,000 men more were now wanting in England than were wanting in 1833? He looked back—he had been abused for looking back—to 1792; he looked back to 1822, when such another attempt was made as the Ministry were now making. He then wasted six weeks in trying to reduce the military and naval expenses of the country: he divided the House some seventy or eighty times; but he was beaten on every division. When the appropriation came on, he gave notice of an address to His Majesty, that the circumstances and situation of the country required that they should consider the amount of military and naval forces; that they should consider the situation of the country, and grant such a reduction as would assimilate them to the establishments of 1792. He made his Motion; but Mr. Bankes, jealous, probably, lest it should be carried, moved an Amendment, leaving out two or three words. The House then negatived his proposition, but it adopted the country Gentleman's; and what was the result? The estimates were reduced before the next year, 1823, 3,000,000*l.*, and 10,000 men cut off from the Army. Therefore he would now say to the House, "Adopt the course which was then wisely adopted, retrace your steps, look what you have to do, and retrench if you be satisfied that the pressure of the country requires it." His noble Friend

(Viscount Duncan) had on a former night said they might take off 1,600,000*l.*, and adopted the plan of suggesting substitutes. He thought in the present state of the revenue the noble Lord might have left it to the Government to find the substitutes. He recollected some words of the right hon. Gentleman the Member for Tamworth, last year, with regard to what he considered their responsibility, which the right hon. Baronet repeated in his speech the night before last. He was sorry to hear those words from the right hon. Gentleman: he said he was prepared, without any other statement than the assurance of the Government, to support the estimates as proposed by the noble Lord. The right hon. Gentleman was actuated no doubt by what he himself expected when in office—obedience to his dictum. He no doubt expected that the present Ministry, and all future Ministries, should, on their own responsibility, be supported in their estimates. However, he thought it became the House not to rest on the responsibility of Ministers alone, but to consider whether each Member was not individually responsible. If they were only there to subscribe and register the acts of the Minister, they had better stay at home. But they were told the other night that the House from time to time had sanctioned every increase. True, a majority of the House had done that; and he had never ceased repeating that the majority of the House had not attended to the interests of the country. However, perhaps they should not blame those hon. Members, but blame the electors. The electors were the men who ought to look after their interests; and they should not blame them, if all who were affected by their votes had not a voice in the choice of the representatives. When he heard hon. Gentlemen assert, as a reason why they should not extend the franchise to artisans and other classes, that the interests of the middle classes and those of the artisans was one and the same, he could not expect that those who were electors would attend to the masses of the community. The whole tenor of the legislation of this country had been to favour the few at the expense of the many; and it was time to consider whether they were not raising by means of their exactions a state of discontent and distress which would render property of little value, and make its enjoyment impossible from the people being so distressed. He would call the attention of the House to the revenue in the year 1822, and the expenditure. The expenditure in 1822, and in this year, would be within about 500,000*l.* of each year. He would take his stand on the years 1833, 1834, and 1835. At no period had matters been better conducted than during those three years in this country. And what was the state of the revenue in these years? The ordinary revenue, after drawbacks and repayment, was on an average 50,524,545*l.* Now, what was the revenue in 1846? It was about 57,589,000*l.*, there being an excess of taxation on the last year of about 7,000,000*l.* more than on an average on each of the three years to which he had referred. At that time wise counsellors guided His Majesty; but from the year 1836, when they began to arm and meddle with other countries, by degrees, year after year, additions were made—first one and then another, until at length they arrived at their present state. He would protest against any man saying the revenue was falling. The revenue had kept up to a degree that scarcely could have been anticipated. However, he was sorry to say that from what had taken place within the last eight or ten months it was impossible not to expect a considerable amount of defalcation. The noble Lord had pointed out what, according to his view, the defalcation would be; but he thought it would be larger. Although it was uncomfortable to be told that there was an empty exchequer, he was always anxious to keep the Chancellor of the Exchequer very close indeed, in the hope that he might not waste money. He found that the estimates always rose exactly in proportion to the increase of revenue; for the expenditure for the Army, Navy, and Ordnance in the years 1833-35 was on an average, 11,996,215*l.*, while in 1846, with an increased revenue of 7,800,000*l.*, the expenditure for those services amounted to 16,864,697*l.*, and in the present year the estimates were 900,000*l.* more. Let that be compared with the 11,000,000*l.* in 1833, and they would find the exact proportion of taxation which he maintained ought to be reduced. He found that the present increase in the estimates arose mainly in the Navy; and he could show, when the proper time came, that one half of the ships built were not required. In the opinion, he would not say of the Lords of the Admiralty, but in the opinion of others, looking to what took place in former times, and what other countries had done,

the number of ships required for the service of the country, and the number of ships at present existing in the Navy, was very disproportioned. He would not say a word as to the manner in which these ships were built or provided, but merely refer to the application or use of them. He submitted here was one case made out which showed it was apparent that unless they kept the right hon. Gentleman the Chancellor of the Exchequer close, and that could only be done by reducing taxation, all other efforts would be fruitless to keep down the expenses. It was on that ground that he called upon the House to support the Motion which pledged the House to what the country required; the object not only was, that they should not admit of the increase that was proposed by the noble Lord, but that, on the contrary, they should, as soon as possible, try to go back and reduce our establishments to the footing on which they stood before the present career of extravagance was commenced. He might refer to a variety of items that were unnecessary, and which he had at various times endeavoured to prevent by a constitutional opposition in that House. The immense brevets that took place from time to time were altogether uncalled for, and led to heavy expense. In the same manner they had a right to complain on the part of the public on another most important point. When, after a long war, he urged in 1822 a reduction of the estimates for the Army and Navy, he was told to look to the ineffective list, and the number of pensioners that were thrown upon them, and that in proportion as those pensioners died off, they would obtain relief. And in that year Lord Bexley, one of the greatest manœuverers that ever lived, borrowed 13,000,000*l.* to pay off the dead weight. He cajoled the country by saying, that it should be relieved of the debt as individuals died off, and enabled them to keep up their establishments. They accordingly gave postponed annuities for 580,000*l.* for 44 years, in order that they might have the benefit of paying off this dead weight. Such was the way in which the financial matters of the country were managed. The public, however, were now awake; and though distress and dissatisfaction might proceed to a certain extent without injury to any individual, he cautioned hon. Gentlemen not to press the willing horse too long, but to see whether the means were not in existence by which they could, with perfect security to the public creditor, reduce seven millions of money without any difficulty whatever. He would state in what way he would at once propose to proceed. Taking the finance account that was before them in the last Session, the ordinary and extraordinary revenue, agreeable to the paper he held in his hand, was 58,439,000*l.*, and it was proposed to make additions to that which would raise it to upwards of 60,000,000*l.* Now, he objected to that. After deducting the amount that was required to pay the funded debt, 28,077,987*l.*, they had about 30,351,346*l.* There were charges on the Consolidated Fund for the London metropolitan police, for the police of Dublin, and other charges that ought never to have been removed from the annual vote of that House. Taking them at 2,736,807*l.*, if they looked in the items they would find there were two or three Lord Chancellors receiving pensions of 5,000*l.* and other charges, in which, if examined with a willing hand, large reductions would and ought to be made. Now, suppose they had altogether 27,614,539*l.* to deal with, did they not think that some 20 or 30 per cent, in many instances, some less and some more, might be reduced, when they saw the increase that had taken place in a few years? Let them take for example the charge for the collection of the revenue. Did any man believe that the whole revenue might not be collected for 3,000,000*l.*, instead of 4,500,000*l.*? And to show how negligent the Government had been, there were upwards of 7,000,000*l.* of the public taxes that never reached the Treasury, but was deducted and made ducks and drakes of. The Government in this case abdicated their functions. He did not speak particularly of this Government, for all the Governments were the same. Here, for example, was the Customs Department. He would venture to ask any man of business if two Commissioners would not be sufficient instead of twelve? and instead of eight or ten Commissioners of Excise, he might venture to ask his hon. Friend the Chairman of the Excise Department, if he would not be pleased to get rid of many of his Colleagues? He did not mean to refer to any Gentleman—his expressions were not meant to apply to any individual; but it was to the system he looked. There was the sum of 4,639,000*l.* for collection, which ought to be brought strictly under review; and next he would take the Army, Navy, and Ordnance. Last year the expenditure under these heads

was 16,864,497*l.*, and the Miscellaneous Estimates were 3,264,339*l.*, which formed, in round numbers, a sum of 25,000,000*l.* Was not this enough to arrest the attention of any thinking man? And he would ask, if the House was prepared to rest satisfied without probing the whole system to the bottom? He should mention that, in a Finance Committee, the question had been put, whether they could not convert all the debt of the country into terminable annuities, so as to gradually pay it off? They were told, that from year to year, at stated periods, they would find relief as those annuities fell in. He was not prepared to say how far the annuities falling in, and the annuities granted, balanced each other; but they ought, by this time, to have experienced considerable relief; and yet their payments for the funded debt remained the same. He begged to call attention to the expense for the Army in 1821 and 1822; also the expense for the year 1835, and for the years 1847 and 1848. He had taken up the Irish estimates that morning, and had selected some items, from which the House might judge of the necessity for reconsidering them. He found that since the Committee, of which he had the honour to be a Member, sat in 1830, considerable augmentation had taken place. In 1830, the charge for the Dublin police was 7,000*l.*, now it was 35,000*l.*; the charge for the Presbyterian clergy was in the former year 11,000*l.*, now it was 36,000*l.*; law charges had risen from 17,000*l.* to 34,000*l.* In short, what in 1822 involved an expenditure of 100,000*l.*, had in 1847 amounted to 274,000*l.*, being an increase of 174,000*l.*, or nearly 180 per cent. He did not state these things to reproach Gentlemen from Ireland, but to show the necessity for inquiry. He asked the House whether this large increase did not warrant him in saying, now was the time when they ought to examine and trim their expenditure within their income. And not only within the income, but he should be prepared to prove that they could go much further. They could bring back the taxation to what it had formerly been, and relieve the country from the taxes on windows, soap, cheese, and many other articles. The country felt those taxes, but they little knew what was the cause of keeping them on. Diminished expenditure would give them the means of relieving them from all those taxes, and from those troublesome practices connected with the excise. On all those grounds he asked the House not to delay what might be done at once, or, at all events, not to wait until they had heard the debate of Monday. He would say, those two votes were extraordinary charges, and ought not to be moved without special and specific examination. He certainly had strong objections to all votes which went back upon the expenditure of last year. If it turned out that 500,000*l.* was incurred last year, he would ask why was it not put in the estimates for that year? He would suggest that a separate Committee should be appointed to take these extraordinary charges into consideration. He was not to be challenged now with making any fresh objection, because, when he first saw the estimates, he put a Notice on the Paper for the purpose of having a return of the circumstances under which the expense was incurred, that they might judge of its propriety. He did not care whether it was a debt incurred by the late or present Government; for it was the principle of the thing he looked to. He did not mean to blame the present or the late Government; but between them and the public there should be an inquiry. Since he gave notice of his Motion, the enlightened community of Liverpool had re-echoed the proposal he had made; and he was also glad to find, from other petitions coming up, that the attention of the country was directed generally to the subject, and that they protested against one farthing of money being voted till the estimates for the coming year were thoroughly investigated. He begged the noble Lord, on whom he might have rather freely remarked, not to think that he addressed him personally. His remarks had reference to his office; and those who accepted office must take the burden and blame of it. He asked the House of Commons to bring back the taxation of the country as much as possible to what it had been. He was sorry to say that he had in his possession communications from many parts of the country, all bearing upon the melancholy position in which thousands of our countrymen were placed—pressed down by the want of employment and the burden of taxation—men who shrank from the dreadful necessity of going into the workhouse, but who could find no means of supporting themselves and their families by their own industry. The details of many of these cases were deeply calculated to lacerate the feelings; but they afforded the very strongest reason why that House should

pause before it inflicted new burdens upon a people already pressed down by a heavy weight of taxation. He hoped, in conclusion, that the House would not give one shilling of money till the debate of Monday should have decided what course was to be pursued with regard to the estimates for the coming year. He begged to move—

"That it is expedient that the Expenditure of the Country should be reduced, not only to render an increase of Taxation in this Session unnecessary, but that the Expenditure should be further reduced as speedily as possible to admit of a reduction of the present large amount of Taxation."

He would rather, if necessary, provide for any present demand by the issue of Exchequer-bills to a small amount, than consent to the proposition of the Government. There might be some such thing as that done; but eventually the reduction to which he had called attention must take place.

Mr. WARD: As my hon. Friend the Member for Montrose has, in the comments which he has just made on the recent expenditure of the country, thrown a large portion of the blame of the excess that has occurred upon the Navy Estimates, and as I have not had any opportunity of making any statement to the House on the part of the Naval Department, perhaps I could not take a more appropriate one than that now afforded me by the speech of the hon. Member, to call attention to some few circumstances strictly bearing on the case, and tending, I think, to place it in a fairer and more favourable light than that in which it is now presented. I admit that a great addition to the Estimates has occurred, in the course of the last ten years; but I affirm that it has been progressive, and gradual, and has been assented to by all parties and all Governments. I will prove this. In the course of the last ten years, not one single division has taken place on any one increase of expenditure proposed. Not one! My hon. Friend the Member for Montrose himself was in his place last year, as he was reminded the other night, when the intention was announced on the part of the Government to make an addition of 3,000 men to the Marines. I stated the grounds of this increase — the perfect concurrence that had prevailed respecting it amongst the four last First Lords of the Admiralty — Lord Minto, Lord Haddington, Lord Ellenborough, and Lord Auckland. The first 1,500 men were voted without a dissentient voice, without a division, and without a remark of any kind whatever; and it is only now, when we have to pay the bill, that faults are found with the great expenditure. Now, Sir, I am ready to make every allowance for the altered position of the country, and the distress which pervades the great mercantile communities. I know how severely this presses on every man, who represents in this House a large constituency, and who is anxious to do his duty. But, admitting the increase of expenditure, I say that there have been good reasons for every addition to the Naval Estimates; and I am prepared to show that the country has had full value for what it expended. The right hon. Baronet opposite, who has the merit and credit of having introduced this new system—for he began that larger expenditure on the Navy, which we are now following up—consulted most truly and correctly, as he has done in many instances of his remarkable career, the interest, safety, and dignity of the country. Sir, I admit the full extent of the increase that has taken place, and I will take three of the principal votes, as the best illustration of it. First, I will refer to the vote for Works, which is one of the largest items of naval expenditure. The vote for Works in the year 1835 was 62,440*l.* — I take 1835, because it is universally taken as the starting point by all who criticise the present estimates. The vote for Works which is proposed for 1848-9 is 688,252*l.* Now, I will give my hon. Friends behind me the full benefit of that broad statement. That vote has increased annually. Up to 1841-3 it did not amount to more than 200,000*l.*; in 1843-4, it increased to 234,000*l.*; in 1844-5, to 298,000*l.*; in 1845-6, to 486,000*l.*; in 1846-7, to 526,810*l.* For the year 1847-8, we introduced a similar vote for 559,600*l.*, which the House passed without one word of observation; and for the present year we propose a vote of 688,252*l.*; showing an addition of 129,000*l.*, which is only apparent, and not real; for in point of fact the whole of the new works are now brought under Vote No. 11, instead of being distributed over four votes, as was the case previously; and of course there is a corresponding reduction in the three other numbers. The next vote that I will take is for Stores; and I find that in 1835-6 the House voted 426,958*l.* for this purpose; while in the present year the sum proposed is 1,511,671*l.* The vote for wages in the dockyards has risen precisely as the expenditure in stores has augmented. What

is the cause of this? The cause is, that, in the course of the last six years, a new power has come into existence, for which it was absolutely indispensable that the country should provide—which calls upon us to change to a certain extent the system of shipbuilding—to change sailing vessels for steam vessels, and to provide establishments where repairs can be carried on—to build steam factories and steam basins—and to commence those admirable works which the right hon. Baronet opposite has the credit of having sanctioned when there was not a vestige of anything of the kind in the country, and which we have carried out, with the full consent of the House of Commons. Look at the vote taken for Stores. The aggregate is enormous. It amounts to 13,000,000*l.* in the last ten years; but out of that vote no less a sum than 2,689,000*l.* has been paid for steam machinery, and 500,000*l.* for iron steam vessels. The outlay for permanent works, in contradistinction to temporary purposes, has been 3,500,000*l.* In the year 1835, our dockyards were acknowledged to be in a state of absolute destitution. And now I will challenge the world to find naval arsenals in a more splendid and efficient condition. But these things are not to be had without money. We have laid out 500,000*l.* on the basin and docks at Portsmouth. We are also expending a still more considerable sum at Devonport. This expenditure was not made in order to meet any extraordinary exigency—it was necessary to the creation and existence of our steam navy. I quite agree with the hon. Gentleman the Member for Montrose that we have no business to interfere in the affairs of other nations. I am of opinion with him when he says, "Let every country look to its own business." But we did look to our own business when we felt it to be dangerous and discreditable to this empire to remain without that element of defence comprised in the possession of a steam navy. Russia had availed herself, and very extensively, of that important invention. The United States of America had introduced steam vessels into their navy. You, the Parliament of England, saw, as I have already stated, the peril to which negligence on this head would expose us—you desired that everything necessary to the efficiency of the steam navy should be provided; and you have no right to turn round upon us now, when you are called upon to pay the bill, to complain of a reckless and profligate expenditure. I think it would be more reasonable to take the same view as would be taken by any railway company of this expenditure—to treat it as so much capital sunk, as so much money capitalised—and not as an addition to the annual estimates. Sir, I may farther remark, that the period to which the hon. Member for Montrose alludes, and which he makes his starting point in drawing these invidious comparisons, was signalised by the exercise of a forced and bad economy—an economy in necessary works and in the purchase of stores totally unworthy of a great maritime country. We had then no provision for the accommodation of steam vessels at Malta; we have now a magnificent steam-dock at the island of Malta, and factories capable of undertaking steam repairs; and a very great advantage they will be found to the commercial as well as the national marine. I fearlessly and distinctly assert, therefore, that the country has had full value received for the money that has been expended. If the House means to say that the money has been ill spent—if the House means to say that it was not necessary to introduce steam into the Navy—then I am ready to admit that the present estimates form a fair ground of impeachment. I will not say the present, but former Houses of Commons, ever since the year 1835, have held a contrary opinion, and have regarded the expenditure as essential. Everybody was pressing a claim of some kind upon our predecessors in office—the cry of Gentlemen opposite was, that we spent too little, not too much—that our Navy was shamefully neglected. They never grudged the expenditure at the time it was proposed; and it is only when the bill comes in to be paid, that any objection is made to it. Sir, I say again, that the country has had value received in the new works that have been constructed. We have now a magnificent steam navy, which ten years ago did not exist; and the increased estimates owe their origin entirely to the new force which has been thus created. In the year 1835, we had only 23 small steam vessels, employed as yachts, packets, dockyard lighters, and in all the odds and ends of the service. These vessels indicated a total of 4,153 horse power. In 1841, when the right hon. Baronet the Member for Tamworth came into power, the steam navy comprised 41 vessels, amounting altogether to 9,503 horse-power. In the year 1848 we have belonging to the Navy 148 steam

vessels of 35,565 horse-power, with all the establishments necessary to keep such a navy in a state of perfect efficiency. If I have brought forward estimates large and extravagant, as they are said to be, I am also enabled to state that the increased expenditure is drawing to a conclusion. But the estimates themselves are as much misrepresented in their amount as in their objects. They include many things which, however useful or desirable for the commercial interests of the country, have nothing to do with its naval expenditure. I will, with the permission of the House, read the items of this new naval expenditure. The first item is the contract packet service, which did not exist in 1835. The vote for contract packets in the present year amounts to 611,662*l.*, an increase of 45,000*l.* having been incurred by the opening of the double line of packets to New York. With this service the Admiralty has nothing to do, except to superintend and to pay. The whole of the receipts go to the Post Office, as do those of the Government packets at Dover, Liverpool, and Milford Haven, the annual charge for which is 161,698*l.*, making a total of 773,360*l.* upon the Naval Estimates for the packet service alone. Then, there are similar services for other departments to a very large amount. The conveyance of troops for the Army and Ordnance in 1848-9 is 181,322*l.* in addition to 23,555*l.* for the wages, and 11,571*l.* for the victuals of troop ships, which are not ships of war. The Home Office requires freight to the amount of 43,000*l.* for the conveyance of convicts to Port Philip, Bermuda, and Van Diemen's Land; and the supplies of provisions to other departments, are estimated at 24,000*l.*, making a total of 1,057,410*l.*, which appears in the Naval Estimates, for matters in which the Navy is in no way concerned. If to this we add 1,395,072*l.*, for half-pay, and military or civil pensions, which, being regulated by Act of Parliament, the Government cannot reduce—and if the House went with me, as I think it did, when I said that at least four-fifths of the vote for new works should be regarded as a permanent investment—as so much money sunk—not as an annual expenditure, to be perpetually renewed—this would give 588,601*l.* more to be deducted from the effective naval service of the year, making 3,041,083*l.* in all, out of a net vote of 7,726,610*l.*, and thus reducing the sum really required for the effective service of the Navy, to 4,685,527*l.* Sir, my hon. Friend the Member for Montrose has endeavoured to make out such a case against the department with which I have the honour of being connected, that I really imagined, while listening to him, that we had been guilty of some enormities perfectly incapable of defence; but I think I have satisfied the House, in the first place, that the charges have been greatly exaggerated; and, in the second, that the course deliberately embarked in, and pursued, for the last six years, not merely by the present Government, but by the last, is not to be ascribed to low and sordid motives—the love of patronage, or of wasteful expenditure—but to something higher and better—to considerations of national policy, and to the supply of wants which it would have been unwise and unsafe to neglect. No doubt there have been mistakes—no doubt much of the money thus laid out might have been better spent if we had had the benefit of the experience since acquired. But the whole system was new; and the greater the zeal, the more patriotic the feelings, with which measures were entered upon, on which it was supposed that the national honour and safety might depend, the greater was the probability of mistakes. But, looking at it in a large and statesmanlike view, I believe that this policy was a sound policy—that the expenditure was necessary, and therefore wise—that it has given us an efficient steam navy, and led to the complete renovation of our dockyards; and I feel confident that in completing what they found unfinished, and thus associating themselves with this great work, Her Majesty's present Government has consulted equally the interests of the country, and the feelings of this House.

Mr. BERNAL OSBORNE hoped the House would not be led away by the eloquence of the hon. Gentleman the Secretary to the Admiralty, and consent to vote the Naval Estimates, until the Select Committee had made their report. The speech of the hon. Gentleman, in his opinion, would rather have the tendency to prejudge the judgment of that Committee. He should like to know, if the noble Lord (Lord John Russell) was so well satisfied with the estimates, why his Lordship had referred those estimates to a Select Committee. No other Minister would have adopted such a course. The noble Lord could find no precedent for the appointment of such a Committee. And when

the hon. Gentleman the Secretary for the Admiralty told the House that up to the year 1835 the dockyards of this country were in a disgracefully destitute state, he forgot to draw attention to the fact, that since that period the Naval Estimates had been increased to the extent of 4,000,000*l.* a year. He was not prepared to follow the hon. Gentleman through all his statement, nor did he think it necessary; but he would just remark, that when the hon. Gentleman mentioned that we were now in possession of 135 steamers—a force which the hon. Gentleman mentioned in terms of great laudation—he could tell the hon. Gentleman that many men connected with the Navy, and well qualified to give a correct opinion on such matters, derided the character of our whole steam force, and very much doubted its efficiency. He did not rise for the purpose of criticising the speech of the hon. Gentleman. He rose for the object of protesting against the whole system adopted by the present Government. He was not prepared to submit to an increased expenditure. And no Member would properly discharge his duty to his constituents if he did not oppose such a mistaken policy. He hoped the House would not be led away by the mention of the Caffre war, and be induced to vote the estimates *en masse*. When he looked back, and considered the present extraordinary state of the country, he could arrive at no other conclusion than that the people had strong reasons for being dissatisfied. The House and the country well knew the way in which the present inevitable Ministry came into office. Hon. Gentlemen on that side of the House, and people out of doors, thought they had got two good Radicals in office; but the hon. Gentlemen (Mr. M. Gibson and Mr. Ward) were only placed in subordinate positions. Since they had been in office, their vocal powers had very much deteriorated. Who could have supposed that the very parties who opposed the proposition of the right hon. Baronet the Member for Tamworth in 1842, would have afterwards proposed not only the continuance but the increase of the income-tax? The Whigs, when out of office, had uniformly opposed any increase of taxation. In 1798, when Mr. Pitt first proposed the property-tax, he was met by the whole Whig party in a tone of execration. Mr. Tierney designated it as indiscriminate rapine. Lord Henry Petty, then the infant Roscius of the Whigs in the House of Commons, and now their Nestor in the House of Lords, opposed the tax most strenuously while in the Opposition benches; but no sooner was the noble Lord in power, than he came down to the House and doubled the property-tax. There could be no mistake as to the character of the noble Lord's (Lord J. Russell's) financial statement. It was not very cordially received on either side of the House. And so very unsatisfactory did the noble Lord consider the proposition, that he prevailed upon his right hon. Colleague the Chancellor of the Exchequer to come down on the following Monday and offer an apology for it. The apology of the right hon. Gentleman was very much like the apology of the lady who was accused of a rather unfortunate increase in her family—the unwelcome stranger was a very little one. The right hon. Gentleman said, that the increase in the estimates was undoubted, but that it was a very small increase. And the right hon. Gentleman, with an energy rather foreign to him, moved that the small increase be referred to a Select Committee; but so thoroughly a master had the right hon. Gentleman made himself of this subject, that he was totally ignorant of the proposed name of that Committee. He (Mr. Osborne) hoped that the House would not be misled by the dubious assent of the right hon. Baronet the Member for Tamworth. The House should recollect that the right hon. Baronet (Sir Robert Peel) had lately taken upon himself to act in the new character of an officer of the Royal Humane Society. Directly he saw the Ministry drop into a dangerous hole, he produced his drags, and restored them to a safe footing on *terra firma*. He would enter his protest against the estimates being referred to a Committee. It was very natural for the right hon. Baronet to view with affection and humanity his own converts; but he (Mr. Osborne) should be astonished if the House gave its assent to the proposition. Then, in addition to the apology that the increase in the estimates was very small, the House had been told that this country, if not about to go to war, was, at any rate, in a very dangerous position. It was quite true that many respectable gentlemen had been greatly frightened by the letter of the illustrious Duke, whose name it was impossible to mention without the deepest respect. Many respectable elderly ladies were more alarmed when the letter of the Earl of Ellesmere appeared. But when the whipper-in of the Government was gazetted to an appointment in the West Middlesex

Militia, the alarm of the nation reached its culminating point. He should be sorry to see the duties of the Horse Guards monopolised by the amiable Mr. Sturge; but he was anxious to enforce the strictest economy in all the public departments. The whole system of Government led to increased expenditure; and so long as men were crammed into office only on the ground of their position, and without any reference to their talent or fitness, the expenditure would increase. To say that there were no men to take office if the present Ministers felt disposed to resign, was absolutely preposterous. If they examined the mode in which houses were conducted east of Temple-bar, they would see that there were thousands of men as capable of carrying on the Government as any Minister who ever sat on the Treasury bench. There might not be a supply of Lords of the Bedchamber; but was the Government not to be carried on because Lords of the Bedchamber could not be got? The House had been called upon to vote the expenditure incurred by the Caffre war; and the right hon. Gentleman the Chancellor of the Exchequer had kindly informed them they should have the papers detailing that expenditure after they had voted the money. He was not disposed to admit the necessity of the Caffre war. The war was brought on by the mistaken policy of the Government at home. If the Government had not dispensed with the services of that able man and gallant officer, Sir Benjamin D'Urban, we should not have been involved in that expensive war, for which we were called upon at present to pay the large sum of 1,100,000*l*. But he was not going into detail. He was looking simply at the whole tendency of our expensive Government, and he would say that Secretary after Secretary might jump up as they pleased and say that there was no necessity for inquiry; but the determination of the people of this country was, that they would have a cheaper Government. If there was one system more than another that required a strict inquiry, it was the system of our Colonial Office. Had hon. Gentlemen ever looked into the report of the Royal Commission upon the subject of the Army and Navy in 1837? From that report they would find that the Colonial Minister was not only the administrator of the colonies of Great Britain, but actually the head of the Army; that it was the Colonial Minister who decided the number of the forces in this country. When the Government talked of sending the Estimates to a Select Committee to make inquiry into them, he begged the House to recollect how few of the recommendations of Committees were ever attended to. It was true that they agreed to strike off a few unnecessary offices in 1828 in compliance with the recommendations of Sir H. Parnell's Committee; but no Government had the nerve to go to the bottom of the system of patronage. He maintained that it was possible to cut down the expenditure at least 6,000,000*l*.; and although the Government might bring admirals and generals, who were all interested in the expenditure, as witnesses before the Committee, to say that any reduction was impossible, he held that it was the business of that House to say that the Government should spend such a sum of money only, and that they must make their estimates correspond with that sum. Did any one ever hear of any reform proceeding from the public departments who were interested in opposing it? Was it the Judges who reformed the criminal law? and did they expect that the generals and admirals would reform the Army and Navy? He looked upon the appointment of the Committee as a mere *ignis fatuus*. Look at the recommendations of reform which had been made already. In 1837 the unfortunate Gentlemen on the Ministerial benches recommended that the office of Secretary at War should be done away with, and a Minister at War appointed, and that there should be a simplification and consolidation of certain offices; but to this day they had never carried out their own recommendations. He believed that the appointment of a Committee on the Estimates—like the Banking Committee—was a shirking of the whole question of retrenchment. But he would tell the noble Lord when he endeavoured to increase the unjust and iniquitous income-tax, which he voted against in 1816, and which he protested against in 1842, with a numerous Opposition to back him, that this was not the time to raise the taxation of the country to the extent proposed. He believed we had reached the limits of peace taxation. He thought the noble Lord would do well to take a note of the events which were passing around him. When the Ministers of Europe were being dissolved one after the other, and when the prevention of a dinner involved the destruction of a dynasty, this was not the moment to come to that House and call for a 5 per cent in-

come-tax in a time of peace. They talked of the national defences; but he believed—and he hoped the hon. Baronet the Member for the Tower Hamlets would support him in this—that the best national defence was to be found in the hearts and affections of the working and middle classes, and that they were not likely to conciliate the one or the other by putting on a war-tax in a time of peace.

MR. W. S. O'BRIEN said, that as he intended to oppose the Motion of the hon. Baronet the Member for Marylebone (Sir B. Hall) for the imposition of the income-tax on Ireland, he felt bound to inquire how far it was necessary for England. Admitting, as he did to the fullest extent, the absolute necessity of making provision for meeting all the public expenses which were required for the defence and maintenance of the country, he confessed he had not yet heard anything to justify the proposal of increased taxation; on the contrary, he thought that the proper remedy was a reduction of expenditure. There was a squadron on the coast of Africa, which ought either to be withdrawn or placed on a more efficient footing. He considered, also, that there was great justice in the complaint of the hon. Member for Middlesex (Mr. Osborne) respecting the awful expenditure on the New Houses of Parliament. Then there was a large sum for the Caffre war; and here he would ask the Government what apology had they to offer for asking the House to vote 1,100,000*l.* for that purpose, when the papers regarding it had been put into the hands of hon. Members only that day? He was persuaded that the expenditure of the country might be greatly reduced by a strict survey of the present public departments; and with that view it was his intention to give his support to every proposition for the reduction of taxation, and to resist every proposal for an increase. The proposition for increased taxation was grounded upon apprehensions of the position of this country in reference to France; and although he did not participate, in all respects, in the opinions and views of the hon. Member for Youghal, yet he certainly agreed with him in thinking that the policy adopted by the noble Lord the Secretary for Foreign Affairs in Syria and the East, in 1840, was the cause of the present increase in the Estimates. He was certain that the collision which then took place might with common prudence have been avoided, and the friendship of France towards this country have been maintained. And believing that France was the great curb upon the despots of Europe, he regretted that the feeling of friendship with England should have been weakened. Had the good understanding remained, they could have prevented Cracow from being absorbed by Austria, as it had been last year. They could have prevented Russian aggression upon Turkey, and they could also have prevented Russia from assailing Circassia. But, after all, the great weakness of this country lay in its conduct towards Ireland. Had they managed Ireland fairly, they need not fear invasion from France. Had they acted justly, they need never fear the Lord Mayor of Dublin having to issue billets for the accommodation of the French soldiery. Had they earned the friendship of the Irish people, no Frenchman would ever set foot in Ireland. The real danger to England arose from the state of Ireland, and not from the designs of France. If they had Ireland with them, they could have at any time a supply of 200,000 fighting men; and would not that, he asked them, be a better guarantee for their safety than their paltry increased estimates? But at the present moment Irishmen feared England more than they did France. England had shown herself their enemy, and had made them enemies in return. Irishmen had called upon England for a redress of wrongs, and redress was denied. They then asked for the management of their own affairs, and Ministers threatened them with war. It would be well, he could tell them, to let Irishmen have a Parliament of their own before England became involved in any difficulties. They ought to take warning from the events of the week. He would tell them, as an Irishman and an Irish representative, that if they meant to use their power, that increased power for which they were seeking, to repress his countrymen, he would not aid them to gain additional power for such purpose. They were trying to keep Ireland weak; but he warned them to look around and remember, that when the right hon. Baronet the Member for Tamworth wished to do an act of justice, by repealing a law that pressed unfairly upon the people, he was obliged to talk of a cloud that was rising in the west, in order to compel them to listen favourably to his proposition. He had spoken in his capacity of a Member of the Imperial Parliament, and also as an Irish representative, and he had attempted to state distinctly and honestly his opinion. He might

be told that Parliament had shown great liberality and munificence last year in the grant of money, and in the great efforts that were then made to assist the Irish people then suffering from famine. But he should say as regarded that grant, that the calamity having been a natural one, it was just as incumbent upon a man in the county of Middlesex to contribute his aid, as for a man in any part of Ireland. But upon that branch of the question, he saw no reason whatever for increasing taxation either here or in Ireland. They had given five times as much to emancipate negro slaves as they had given to Ireland. But he should be glad to hear from the noble Lord what he intended to do for Ireland this year. He should be sorry to impute such a policy to any Minister; but if they were trying to convert Ireland into a sheep-walk for England, they could not adopt a better line of policy for the purpose. He wished to know if the noble Lord were acquainted with the appalling condition of the people in Ireland at present. The English newspapers had declined altogether of late to report the number of deaths from starvation in that country. He would therefore read for the noble Lord a very short extract from a report in an Irish newspaper, which he believed had never been noticed in any English newspaper. There were a number of persons mentioned by name, seventeen out of twenty of whom had died of actual starvation within one week in Mayo. In the same paper he found that in the county of Galway a very large number of persons —one hundred, he believed—were stated to have died within the week in the poorhouse, gaol, and hospital. And it was remarked that they always came into the poorhouse only when they were in the last stage of famine. In the same paper was also to be found a statement of the wholesale deaths that had taken place in one district, where four, five, and six dead bodies had lain for days together over ground, no person being found to bury them. One old man had died; and there being no one to inter his body, it was not until after the dogs had begun to eat him that the body was at last interred. Four persons in another place were taken up for killing and eating a filly. In the parish of St. Bride, county of Roscommon, a man named Lamb, rather than commit a robbery, if such it could be called under the circumstances, had killed and eaten his ass. Several persons who were charged with having broken windows, stated in their replies that they did it to get into gaol, they being in a starving condition. A coroner's jury in Athlone returned a verdict that two boys, into the cause of whose deaths they had to inquire, had died of starvation. These were matters which required consideration. But he could not read the accounts without asking how all this was to end? The right hon. the Chancellor of the Exchequer had heard within the last few months something, at all events, about the condition of the country; and he must be aware that there were many districts in which all the property of the landlords would be insufficient to keep the people from starvation. What, then, did the Government mean to do? Did they intend systematically to allow the people to die of starvation? It was not for him to suggest any plan or any mode for averting the calamity and supplying the wants of the people. Since the poor-law had come into operation, it had been his desire, and the desire of many others who thought with him, to see it carried into operation fully and effectively. But it was insufficient. And it was the bounden duty of the Government to give the people of Ireland some assurance that means would be taken during the present spring to keep them from dying of starvation, as they had done last year, to the number of several hundreds of thousands.

Lord JOHN RUSSELL: I cannot, I confess, Sir, say that I think there is any great meaning in the Motion of the hon. Member for Montrose, or any unanimity of views on the part of those hon. Gentlemen who have supported it. The hon. Member for Montrose thinks it a great matter of reproach to the Government that they did not adopt some time ago his suggestion that a Select Committee should be appointed to consider how the expenditure could be so decreased as to enable a reduction to be effected in the taxation. The hon. Member for Middlesex (Mr. Osborne), on the other hand, thinks it a great reproach to us that we should have submitted to the appointment of such a Committee at all, and is of opinion that it is an abdication of the functions of the Government to appoint such Committees, though they had been previously appointed in the years 1786, 1797, and 1817. Then comes the hon. Gentleman the Member for Limerick, and he, in supporting this Motion for retrenchment, says he is prepared

to resist all further taxation; but he, at the same time, calls upon the Government to vote some large amount of money for Ireland, leaving us to get out of the difficulty as we best may. He will have the money, but he leaves us to find the means of raising it, for he will oppose, he says, any proposal for further taxation. Such being the case, Sir, one is a good deal at a loss to know what is the purpose of the present Motion, and what is the object that any one of those hon. Gentlemen has in view. During this debate a great deal of fault has been found with the speech that I made last week in introducing the financial statement; and yet it is very remarkable that no single proposition which I made in that speech has been contradicted, or even shaken. I said that it was our interest to keep—and that we should keep—well with France. No one has yet found fault with that assertion. I said that it was our interest to keep at peace, and to preserve our present peaceful attitude. And no one has attempted to find fault with that proposition either. The hon. Member for Montrose to-night charges me with the manner in which I spoke of the condition of our forces and our expenditure in 1835, and the increase that has since taken place. Sir, I stated figures, of which he did not deny the accuracy. He has frequently stated them himself; but then, he says, I stated them with so much coolness—with such *sang froid*. I never heard such a charge brought forward before. The hon. Gentleman admits that I quoted the figures correctly; but because I did not state them with fervour, and passion, and a certain degree of excitement, he says that he is exceedingly surprised, and he wonders how I could be so exceedingly cool. The hon. Gentleman wonders that I did not attempt to suggest any reduction. I will tell him, that although his opinions are very well known to have been always for economy, and in favour of a diminished expenditure, there are many persons in the country and in this House who are of a very different opinion, and who think we have not sufficiently increased our warlike establishments. There are many who think that our Army is far too low, that our Navy is not fit to meet an enemy, and that our Ordnance is not sufficiently cared for, and that all these establishments are very defective. And I thought it might be well to meet charges such as these, and to show how much had really been done, and how much our expenses had been thereby increased. I thought it necessary to show how effective our armaments had been made, and that it was not necessary to increase our establishments. But all was thrown away on the hon. Member for Montrose, and on the hon. Member for Middlesex, from whom I thought that we should have had a proposition for more defences than we possess already; for I found a notice of Motion placed upon the books before Christmas opposite the name of Mr. Osborne, "to call attention to the state of the national defences of Great Britain." I inferred very naturally from that, that the hon. Gentleman intended to make a speech to show that our defences were insufficient. [Mr. BERNAL OSBORNE: No, no! I wanted to prevent an expenditure for such a purpose.] Perhaps the hon. Gentleman intended to make a speech in favour of the estimates; and to show that enough had been done, and that we need not do any more. If so, I can only say it was an extraordinary notice for him to have given; and I am told that many of his constituents took alarm upon seeing it, and wrote to him to ascertain if it were true that he was going to propose a great additional armament. Well then, Sir, if the hon. Member's intention was not to speak in favour of an increased armament, it was a purpose which he has kept concealed until this night; and it seems now that he has not such an intention. I must say, however, that the ambiguity of that notice was partly the cause of my considering it necessary, as I stated at the time, to explain to the House and to the country, that whilst some persons in this country, and in foreign countries also, think our defences inadequate, we have already ample means for that purpose. But, Sir, the hon. Member for Middlesex thinks that we purpose to delegate to the Committee our responsibility with regard to the amount of the Army and Navy. In that respect the hon. Gentleman is mistaken. I think those Committees which have been appointed from time to time, and which used to be appointed every ten years, to inquire into these subjects, might be very useful, and that they may in some respects show to the country that these expenses have been rightly increased, whilst in others they may find a mode by which the expenses may in future be reduced. But with regard to the establishments for the Navy and the Army, Her Majesty's Government are responsible for making the propositions. And as to the Ordnance, I trust

that when the question relating to it shall come before the House, it may be as well defended by my hon. and gallant Friend, as the Navy was by my hon. Friend the Member for Sheffield (Mr. Ward) to-night. And I certainly shall not, for my part, be afraid to meet the discussion that will take place; nor shall I be afraid of standing by the decision. But, Sir, the hon. Gentleman the Member for Limerick has turned to another subject, and he has asked the House to consider the situation of the people of Ireland; and he has, I think, done so in a somewhat ungracious manner. He has attacked the Government, who are, of course, blameable for everything. He had received, in fact, very ill the greatest effort that ever yet was made by any people on behalf of their fellow-subjects. Sir, I do not take too much credit to the Government for that great effort. It was not the will of the Government—it was not the benevolence of the Government that could have effected it. It was the act of this Parliament, and it was more especially the act of this House. This House it was which, in the most generous manner, gave an amount of money necessary for meeting the wants of the Irish people; and that money was spent in the most economical and useful manner possible in giving rations to three millions of people. And yet the hon. Gentleman takes occasion to talk of the demoralising effects of feeding the people in such a manner—people who must have starved were it not for such supplies of food—and he compares the effort with that made for the release of the West India slaves. Why, Sir, what have these topics to do with the question? How does it affect the giving of the large assistance for which the people of Ireland feel grateful—for which, I believe, notwithstanding all that the hon. Gentleman says, the people of Ireland do feel grateful. And whilst the English and the Scotch people were doing all this for their Irish fellow-subjects, what was the hon. Gentleman doing but attempting to spread discontent amongst his fellow-countrymen. In what manner was he aiding and assisting his poorer brethren? And now he asks us what we are going to do this year? Sir, we have not left Ireland without laws to make the rich contribute to support the poor. We passed a Bill last Session for that purpose; and I believe that law, with the exception of some unions, will be found sufficient to preserve the people from the effects of famine. I do not believe that a rate of 3*s.*, or of 4*s.*, or of 5*s.* in the pound ought to deter people of property in Ireland from supporting their poor. But the law—and in that respect the Government could not prevent it—that law has not been everywhere justly or properly applied. I was reading this day in an extract from an Irish newspaper (for I do look into the Irish papers) an account of an examination which took place in a court of justice. The circumstances were these: a farmer, named M'Cabe, brought a man before a bar of criminal justice for stealing a sheep. It was proved that this farmer had many sheep—more than a score of sheep. He had also three or four cows, and a considerable quantity of barley in his haggard; and he was what is generally termed in good circumstances. He was asked, "Was not the poor man starving?" And as a proof of hunger having caused him to commit this crime, he was asked whether the poor man and his wretched family were not found eating the sheep raw in their miserable dwelling, if such the wretched place where they were might be so called? He said it was so. He was asked, "Had this man ever applied to the board of guardians, and to the relieving officer for relief, and was he refused?" The farmer said he had applied, and he was refused. This farmer was then desired to attend particularly to the next question that would be asked him. And the question was—"Whether he himself, the possessor of those cows, of those sheep, and of this barley in his haggard, had not himself been receiving a sum of money every week by way of out-door relief as a pauper?" And he admitted that he had. Why, Sir, if persons are found to starve in circumstances such as these; and if, as we frequently find, those who are not destitute receive the benefit of the relief, and that in many cases those who have the means to pay their poor-rates have not paid them; I say it is not right to ask the people of Sussex and of Buckinghamshire, who are paying their own rates for their own poor, to pay for the relief of Irish destitution. That tax—and a heavy tax I admit it is—that poor-law tax in Ireland must be enforced. And it is only in exceptional cases, where it can be proved that the property of the country does not afford the means for the relief of the destitute, that either public or private charity can be called on. And let me say one more word upon this subject. Her Majesty was advised some months since by a

person whose name I shall always mention with reverence—I mean the late Archbishop of Canterbury—to issue a Queen's Letter for the purpose of recommending a general collection in the churches for the relief of the Irish people. That collection had by no means the same success as the collection made last year. A sum of 26,000*l.* was collected, which has been applied to the education of children in Irish schools. But why was not the sum collected greater? Because those who had contributed so largely last year, those who had contributed 300,000*l.* or 400,000*l.*, found nothing but invectives uttered against them by those who had the ear of the people of Ireland. They were disgusted and deterred from doing more because they were held up as enemies to the people of Ireland, and as persons who generally wished that the people of Ireland should be allowed to starve. I earnestly beg the hon. Gentleman to learn some experience, to take a lesson from the past, and to see that there is no disposition on the part of the people of England to allow those of Ireland to starve. I beg him to remember that violent invectives and harangues against the people of England are not calculated to improve the relations between the two countries. I thought it necessary to say thus much. I can assure the hon. Gentleman that the Government have looked day by day to the condition of Ireland. There is no day in which reports from Ireland do not attract my attention and that of my Colleagues who sit near me. We have shown, I think, our readiness to incur some obloquy in not proposing a tax for Ireland which we think she is not able to bear, whilst she is paying a tax of 2,000,000*l.* a year for the relief of her poor. But, we believe, that in relieving the poor of Ireland from the property of Ireland—by encouraging the people themselves to assist themselves—by encouraging people of property in Ireland to try to obtain from the soil more than they do at present, and that which should be easily drawn from it—indeed almost without limit—we are doing more good for the country, than by repeating, in a year which is not a year of calamity, that large and liberal system of relief which was given in a time of deep calamity, and which, although not perfectly administered, was yet so useful. But that ought not to be taken as a rule, or as the usual condition of Ireland; and if we do not propose a similar grant this year, let it not be said that it is from any indifference to Ireland, but because we think the course we are pursuing is more likely to tend to its happiness and prosperity.

Mr. O'CONNOR said, that not one single sentence of the noble Lord's speech had been directed to the Motion of the hon. Member for Montrose. The noble Lord should recollect that the hon. Member for Manchester had told him that the present was a middle-class Government. If he reduced the expenditure to meet the income, instead of increasing the income to meet the expenditure, he would have the support of the middle classes and the working classes with him. But by inflicting the tax he was about to levy, and the weight of which would fall upon the middle classes chiefly, and injure the working classes thereby, he would cause the middle and the working classes to unite for the first time, and their union would be against him. He objected to the manner in which Ireland was made use of by Irish Members in that House. He objected to the hon. Member for Limerick telling the Government, that if a certain policy were adopted, they had only to whistle, in order to get 200,000 Irishmen to fight the battles of this country. That was the manner in which the Irish mind had been always debased and destroyed; and for his part, he could see no chance of regeneration in England until Ireland was regenerated in the first instance. He felt grateful for the aid which was extended last year by this country to Ireland; but what would be said if the Irish had to apply for further aid to the people of England next year? Would they not be told, "You have since taken another tax out of our pockets, and we are no longer able to afford you relief?" The noble Lord told them that he had not made a warlike speech; but neither he nor the right hon. Gentleman the Chancellor of the Exchequer had made a retrenchment speech. At a time when the industrial classes of this country were selling everything they had, in order that they might keep out of the workhouse, was it right to tell them that this was the very moment to increase the pay of the soldiers, and the rations of the sailors? He would tell them that there were events passing around them that neither the noble Lord nor he could shut their eyes to. The noble Lord must be aware that the present state of France was one which would not warrant an increase of the expenditure of this country.

The sentiments expressed by the hon. Member for the West Riding of Yorkshire on this subject had his most cordial assent. That hon. Gentleman had the confidence of the middle classes of this country, and the confidence of the working classes also. The noble Lord, however, seemed to feel that he might rely on Gentlemen on the Opposition side of the House, who might be led away in the present state of Europe by a feeling that it was necessary to have a strong Government in this country. But the people would not be satisfied. Since 1835 there had never been a division in the House against any proposed increase in the expenditure. As long as there was a farthing in the wallet, the cry was "Let us spend it;" but now the country was resolved that there must be retrenchment; and if the Government asked how they were to save the public money, let them look to the placemen and the pensioners who were sitting behind the Treasury benches. The country demanded reform. The people felt that what led to the struggle for reform in France, was the tampering with the public money by the Government. The people would oblige the noble Lord, or whoever was Minister, to find out from what quarter economy should come. The noble Lord might ask the supporters of this Amendment where economy was to come from. If Ministers gave them their salaries, they might perhaps get an answer. There was a saying in Ireland, "It is not fair to keep a dog and bark yourself." The course pursued by the noble Lord reminded him of the man who had ordered his servant to cut the tail off a young dog. Hearing the dog barking every morning for some days after, he inquired the cause, and the servant said he was cutting off its tail. "Did I not order you to do that a week ago?" said the master. "Oh yes," was the reply, "but I cut off a joint every morning, because I was afraid as the dog is young that he could not bear to have it all cut off at once." That was precisely the policy of the noble Lord, in trying the extent to which the people could bear taxation. When this question came before the public, it would be hard to reconcile them to the belief in their poverty that the country required more soldiers. It would be hard to satisfy them that all those items of expenditure were innoxious and harmless. When they were seen in one bulk, the people would have a very strong opinion as to the greatness of the amount, although, when they were better able to bear it, they might not have been so ready to find fault with the amount. He felt grateful to this country for what had been done for Ireland; but at the same time, he should deny that Ireland had any right to come for assistance as an alms to England which wanted her agricultural produce, or that the existence of a nation should be left to depend on the begging letter of an archbishop. The noble Lord might rest assured that while the religion of the Irish people was made a charge against their loyalty, they would be tempted to look to another country professing the same religion, that had liberated itself, for relief, rather than to a country of a different religion.

Mr. WAKLEY said, the question was whether the Speaker should leave the chair preparatory to the House going into a Committee of Supply? to which his hon. Friend the Member for Montrose moved an Amendment, to the effect that the expenditure of the country should be reduced; and his hon. Friend intimated that not only should there be no increase in the expenditure, but that such reduction should be made as speedily as possible. The Amendment was, he thought, one of the most rational and consistent that could possibly be made, for if the House was disposed to go on with regard to the expenditure as it had latterly proceeded, the country must be involved in ruin. He would beg of hon. Members, especially of those who were in the House for the first time, to recollect what the language of the hon. Gentleman the Secretary to the Admiralty had been. For his own part, he must confess that he felt the force of the lecture the hon. Member had read to them. The lesson was pregnant with instruction, and he was determined that it should not be lost upon him. He had received most excellent practical advice with regard to his future conduct from the lecture of the hon. Gentleman that evening. The hon. Gentleman spoke with considerable eloquence and ability. As usual, when expenditure was concerned, he obtained not only the hearing, but the sanction of the House, in a very short time. The hon. Gentleman had the records in his hands, and he asked them "What have you been doing for the last ten years? In that time there has been increase after increase, and yet there has been no resistance on the part of this House to such a course. During that period, there has not

been a single division on a question of increase." After such a line of argument on the part of the hon. Gentleman, he was determined to regulate his conduct for the future, so that he should not expose himself to a repetition of such taunts. Seeing that the Ministry would not profit by the generosity shown in former years, the time was come when they must offer a determined and unyielding resistance to a profligate and extravagant expenditure. He would repeat that the expenditure was most extravagant and most unnecessary. He shought the Government was exceedingly to blame for not having made that necessary examination into the finances of the country, which would have enabled them to come down to the House and propose such a reduction in the expenditure as the circumstances of the country demanded. Did the hon. Gentleman the Secretary of the Admiralty mean that it was proposed to fix the expenditure for the Army, Navy, and Ordnance, at between 17,000,000*l.* and 18,000,000*l.* a year? Did he deny that such was the intention. And if the hon. Gentleman did not, then, he would ask, was such an expenditure warranted by any circumstances that now existed? If that were so, was not the Motion of his hon. Friend required, and was it not right that they should not again expose themselves to the taunt which the hon. Gentleman the Secretary to the Admiralty had thrown out? They should be told next year, "You yielded to our demand last year, and why should you not do so again?" The allusion of the hon. Member for Middlesex to the Executive Government was one that should be followed up. The question should be discussed, who was it that involved this country in such overwhelming and frightful expenditure? He would ask, had the people of this country ever enjoyed any real influence in that House? Insinuations had been thrown out against the party to which he belonged—the Radical party—if indeed there was any party except the Whig party in the House. He considered the leader of the Radical party to be the hon. Member for Montrose. He would ask whether the individual exertions of that hon. Member for the reduction of taxation had not been more beneficial to the people of this country than all the labours of the whole aristocracy put together? His hon. Friend deserved well of his country. The time was come when the scattered elements of the Radical party in that House ought to combine for the public good, in the hope that they might save the country from some awful convulsion. But from past experience it would appear as if it were impossible to govern this country except under some lordly influence; and it was really curious to observe how remarkably industrious the aristocracy became whenever the public money was to be received. There was no office, not even the meanest, the lowest, and the most paltry, that a Lord was not ready to poke himself into when it would enable him to touch the public money. Why, they had a Lord now the Secretary to the Poor Law Commission—his office being to see if the poor old women's gruel were thin enough. While the people of this country consented to be governed by the aristocracy, they should make up their minds to have their affairs mal-administered. It was the same thing whether Whig or Tory was in office; for both, as the man of Kent said, were tarred with the same brush. There were many things which the Whigs had done for which he felt grateful. He would never forget what the noble Lord had done in the cause of reform, and in raising the human mind from thraldom, and giving liberty of conscience to the people. He never could think of the noble Lord's conduct in this respect without feeling the most ardent gratitude to him; but at the same time gratitude was not the only feeling that a man should entertain. He should have some regard for the constituents by whom he had been sent there. He knew the difficulties which they had to encounter in practising economy in their domestic concerns. He knew how they laboured and toiled, and how severe were their duties in endeavouring to maintain a respectable position in society; and when he saw any party in the State coming before the House heartlessly and recklessly to take from them the fruits of their toil, he could not help raising his voice against such an unjust practice. No matter who the Ministry were that adopted such a course; he felt it to be his duty to give them every opposition in his power; and if necessary, to combine for the purpose of driving them from power. But, without organisation, without arrangement, without understanding among themselves, it was utterly impossible that the Radical Members could fight the battle with effect. He would call therefore on the Radical party to adopt as their leader the hon. Member for Montrose. [*Laughter.*] That very night he ought to be in-

stalled in that position; and he could assure hon. Gentlemen opposite that, if such a course were taken, instead of laughing ironically at his proposal, they would, if they were sensible and reasonable men, as he believed them to be, rejoice at the great national results that would follow from his hon. Friend having that political influence which he ought to enjoy in that assembly. Where was there one in the present Administration that had the practical knowledge of the details of business which his hon. Friend possessed? His hon. Friend had laboured for thirty years in the public cause. He had differed from his hon. Friend on many occasions: but still, when he looked to the knowledge which his hon. Friend had displayed, and to the industry which he had exhibited, and when he remembered the taunts and scorns so often directed by the members of the aristocracy against him, he could not but feel indignation at the treatment which the hon. Gentleman had met with, knowing as he did that if any member of a noble family—as it was termed—noble by courtesy, but by nothing else—had exhibited only a fraction of the talents and acquirements of his hon. Friend, he would be worshipped by the whole body. He thought they ought at once to place his hon. Friend in the position to which he alluded; and if his hon. Friend declined to yield to their call, he would desert the position which he had occupied before the country for the last thirty years. He saw those around him who knew the position of the country, and the mischievous consequences that resulted from so much aristocratic influence in the State; and they would, he hoped, concur with him as to the necessity of such an effort as he suggested. It could not but be gratifying to his hon. Friend to know how his services were appreciated; and his fate would influence aspiring and patriotic young men, who would hereafter come forward in the cause of their country. The people of England were a social people. They loved their homes—they loved peace, and they abhorred war in all its shapes. They were terrified at the thought of war—not because they felt fear, for a more courageous people did not exist; but because they dreaded the cruelty and misery which existed from confusion, anarchy, and bloodshed. They desired not only to be happy among themselves, but to be free from all conflicts with foreign nations. When countries went to war, the quarrels originated with those high in office, and never among the people, or among merchants or shopkeepers. The people therefore felt that it was unjust to ask them for money for a purpose horrible in its results to human nature, and offensive in the eyes of the Deity. He trusted that his hon. Friend would press his Motion. It could only delay the public business for a short time, and it would compel the Minister to come before the House with a new proposal, which he believed would be utterly at variance with his present one, when such a proposal was made. Now, he should like to know what proposal the noble Lord would have made with regard to the expenditure if the country were in a prosperous position? Only a few weeks had passed since the House was called together in consequence of commerce being at a complete stand-still, and the mercantile world reduced to such a position that merchants could not even raise money on Exchequer-bills; and yet the noble Lord came forward with an expenditure which was, in point of fact, a war expenditure. What then would have been the proposal of the noble Lord, if the country were in prosperous circumstances, and actually at war? Taking these circumstances together, he would say, that the Government had shown itself absolutely incapable of managing the finances of the country; and that unless the noble Lord was checked by that House, he would plunge the country into irretrievable ruin. He agreed with the hon. Gentleman the Secretary to the Admiralty, that the House, in voting these reckless supplies, was infinitely more to blame than the Government; and he would tell the new Members who listened to him, that when millions of the public money came to be voted away, they would see nothing but empty benches night after night on the Opposition side of the House. He trusted, however, that the new Members would pay more attention to the circumstances of the country, and that they would adopt as their motto "Economy and Peace."

Mr. ROBINSON denied the right of hon. Gentlemen opposite to arrogate to themselves the exclusive advocacy of economy. He was himself most anxious for economy in the public expenditure; but at the same time he felt that he could not vote in favour of the Motion of the hon. Member. He thought that Motion extremely vague. It was—

"That it is expedient that the expenditure of

the country should be reduced, not only to render an increase of taxation in this Session unnecessary, but that the expenditure should be further reduced as speedily as possible, to admit of a reduction of the present large amount of taxation."

It was a delusion to agree to such a Motion unless it was contended that they could reduce the Estimates by the amount of the deficiency, 2,900,000*l*. He could not hold out any expectation to the people of this country of so material a reduction of expenditure; and as he regarded the Motion, therefore, as a delusion, he could not support it. There were many incidents to increase the national expenditure. Within a few years they had in succession the Canada rebellion, the dispute with the United States about the north-west boundary, an expensive war in India, a serious famine in Ireland, and, lastly, the Caffre war; and could they expect to escape without encountering similar difficulties in future? At the same time, when the Estimates came before the House, he should be as ready as the hon. Member for Finsbury to vote in favour of all possible curtailment.

Mr. FAGAN said, he could not admit that the Irish representatives were not interested in the question under discussion. He could not forget that the right hon. Baronet the Member for Tamworth, when he first introduced the income-tax, also imposed a stamp duty on Ireland, as an equivalent to her proportion of such tax. The right hon. Baronet stated that Ireland's capability of bearing the tax was in the ratio of one to nine to that of England, and the stamp duty being in that ratio to the income-tax, it was, in point of fact, a permanent income-tax on Ireland. He could not forget that the right hon. Baronet on another occasion stated, that if the income-tax became permanent in England, it would become a question whether it should not be introduced into Ireland. The income-tax was now to be a permanent one; and he felt persuaded that nothing but the distressed condition of Ireland now saved her from the imposition of that odious, because inquisitorial tax. That country would ultimately be visited with it, unless the expenditure was kept down to something like a peace condition. Therefore was it that, independently of the principle "of doing unto others as we would be done by," the Irish representatives were deeply interested in the vote of that evening. Besides, there was, without necessity, an army of 27,000 men in Ireland, costing over a million a year, and proclaiming to the nations of the world that it was still governed as a conquered country. Cut down the expenditure, and Ireland would be saved that disgrace. He had risen principally to make a remark on what had fallen from the noble Lord Her Majesty's First Minister, in some irrelevant observations which were drawn from him by the speech of the hon. Member for Limerick (Mr. Smith O'Brien). The noble Lord had accused the Irish people of ingratitude. He respectfully but emphatically denied the charge. The people, whatever may have been the conduct of the gentry, appreciated what was done by Parliament, and warmly acknowledged the munificent subscriptions of the English people, who subscribed over 700,000*l*. to assist them in their destitution. The Irish were not an ungrateful people; but they were also a well-judging people, and they saw that there was much mismanagement in the distribution of the funds at the disposal of the Government. They saw their countrymen in the western and north-western part of Ireland dying from famine, because no depôts of food were provided for them; and, therefore, while they appreciated in other respects the efforts of the Government, they freely und unsparingly condemned them for this neglect.

Mr. S. CRAWFORD expressed his intention to vote for the Amendment of the hon. Member for Montrose, on the ground that it was unconstitutional to vote any part of the national expenditure before the House had decided how the means to meet it were to be provided. Because Members of that House had omitted the full discharge of their duty in not being watchful over the Estimates, that was no reason why they should now be wasteful of the public money. Their former negligence was not owing so much to their apathy as to the sense of their hopelessness of success against the power and influence of the Government. With regard to the starvation in Ireland, alluded to by the noble Lord, there was no doubt it had been truly stated in its main features; but the noble Lord had not informed the House of the cause of the unfortunate man being in a state of starvation. The cause of it was the carrying into effect the quarter-acre clause of the Poor Law Act. He acknowledged the liberality of the people of England towards the starving people of Ireland; but whilst making this admission, he must state that every one of the measures introduced by the Government for the benefit of that

country had been blundering and defective, and none more so than the poor-law.

The CHANCELLOR OF THE EXCHEQUER hoped to be more successful in calling the attention of the House to the real subject before them than the hon. Member for Finsbury. At any rate he would not follow the example of the hon. Member, by diverging into the numerous topics upon which the hon. Member had touched. Although the hon. Member had paid a panegyric, in many respects well deserved, to the hon. Member for Montrose, who undoubtedly had long been a most energetic advocate for economy, he trusted the hon. Member for Montrose would not be induced to persist in his Motion, because it was really necessary for the public service that the House should go into Supply. Many hon. Gentleman had argued as if the proposal to be made in Committee would entail great future expenditure; but the fact was, they were votes for past expenditure, which it had been necessary to incur, as he would explain in Committee. He intended to show, if he were allowed, under what circumstances the Caffre war had been commenced, and that no blame could attach to anybody for this vote not having been submitted at an earlier period. He repeated, that it was absolutely necessary these votes should be passed, in order to enable the Paymaster General to discharge the current expenses of the Army and Navy. He assured the House he admitted the desirableness of reducing the expenditure of the country, and that he would not be a party to any estimates which were not, in his opinion, absolutely required for the public service. Surely, too, when at the suggestion of the hon. Member for Montrose a Committee was to be appointed to inquire into the Estimates, it was rather extraordinary that he should by his present Amendment endeavour to prejudge its inquiries.

The House divided on the question, that the words proposed to be left out stand part of the question.

The numbers were:—Ayes 157; Noes 59: Majority 98.

List of the AYES.

Abdy, T. N.
Adair, H. E.
Adair, R. A. S.
Anson, Visct.
Arbuthnott, hon. H.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bagshaw, J.
Baring, H. B.
Baring, rt. hon. F. T.
Baring, hon. W. B.
Barnard, E. G.
Bellew, R. M.
Berkeley, hon. Capt.
Bernal, R.
Bernard, Visct.
Bowles, Adm.
Boyle, hon. Col.
Brackley, Visct.
Bremridge, R.
Broadley, H.
Brockman, E. D.
Brooke, Lord
Bruce, C. L. C.
Buck, L. W.
Bunbury, E. H.
Burghley, Lord
Busfeild, W.
Chichester, Lord J. L.
Christy, S.
Clay, J.
Clerk, rt. hon. Sir G.
Cockburn, A. J. E.
Compton, H. C.
Corry, rt. hon. H. L.
Cowper. hon. W. F.
Craig, W. G.
Cubitt, W.
Davie, Sir H. R. F.
Davies, D. A. S.
Denison, J. E.
Drumlanrig, Visct.
Dundas, Adm.
Dundas, S. D.
Dunne, F. P.
Ebrington, Visct.
Edwards, H.
Ellice, rt. hon. E.
Farrer, J.
Fitzpatrick, rt. hn. J. W.
Fitzroy, hon. H.
Fortescue, C.
French, F.
Fuller, A. E.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W. E.
Glyn, G. C.
Goring, C.
Graham, rt. hon. Sir J.
Grey, rt. hon. Sir G.
Guest, Sir J.
Gwyn, H.
Haggitt, F. R.
Hamilton, G. A.
Hay, Lord J.
Hayter, W. G.
Heathcoat, J.
Henley, J. W.
Herbert, H. A.
Heywood, J.
Hildyard, R. C.
Hodges, T. L.
Hood, Sir A.
Hope, Sir J.
Hornby, J.
Hotham, Lord
Howard, hon. C. W. G.
Ingestre, Visct.
Inglis, Sir R. H.
Jervis, J.
Keppel, hon. G. T.
Ker, R.
Kildare, Marq. of
Labouchere, rt. hon. H.
Lemon, Sir C.
Lennard, T. B.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Littleton, hon. E. R.
Locke, J.
Lockhart, A. E.
Lockhart, W.
Macnamara, Major
M'Naughten, Sir E.
M'Tavish, C. C.
Martin, J.
Masterman, J.
Matheson, Col.
Maule, rt. hon. F.
Miles, W.
Moffatt, G.
Monsell, W.
Moody, C. A.
Moore, G. H.
Morpeth, Visct.
Newdegate, C. N.
O'Brien, Sir L.
Paget, Lord A.
Paget, Lord C.
Palmer, R.
Parker, J.
Peel, rt. hon. Sir R.
Perfect, R.
Pinney, W.
Plumptre, J. P.
Plowden, W. H. C.
Power, Dr.
Power, N.
Prime, R.
Rendlesham, Lord
Ricardo, O.
Rich, H.
Robinson, G. R.
Russell, Lord J.
Sadlier, J.
Sandars, G.
Seymour, Lord
Shelburne, Earl of
Sheridan, R. B.
Slaney, R. A.
Somers, J. P.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Spooner, R.
Stafford, A.
Stanton, W. H.
Staunton, Sir G. T.
Strickland, Sir G.
Strutt, rt. hon. E.
Stuart, J.
Tancred, H. W.
Tollemache, J.
Towneley, J.
Townshend, Capt.
Trelawny, J. S.
Trevor, hon. G. R.
Tynte, Col. C. J. K.
Vane, Lord H.
Verney, Sir H.
Walpole, S. H.
Ward, H. G.
Watkins, Col. L.
West, F. R.
Westhead, J. P.
Wood, rt. hon. Sir C.
Wyld, J.
Wyvill, M.

TELLERS.
Hill, Lord M.
Tufnell, Mr.

List of the NOES.

Aglionby, H. A.	Marshall, J. G.
Alcock, T.	Mitchell, T. A.
Anstey, T. C.	Molesworth, Sir W.
Blewitt, R. J.	Mowatt, F.
Bright, J.	Nugent, Lord.
Brotherton, J.	O'Brien, W. S.
Brown, W.	O'Connor, F.
Cobden, R.	O'Flaherty, A.
Crawford, W. S.	Osborne, R.
Deering, J.	Pattison, J.
Devereux, J. T.	Pearson, C.
D'Eyncourt, rt. hon. C.	Peto, S. M.
Duncan, Visct.	Pilkington, J.
Duncan, G.	Raphael, A.
Duncuft, J.	Salwey, Col.
Evans, J.	Scholefield, W.
Ewart, W.	Sibthorp, Col.
Fagan, W.	Sidney, T.
Fordyce, A. D.	Smith, J. B.
Fox, W. J.	Stuart, Lord D.
Gardner, R.	Sullivan, M.
Hardcastle, J. A.	Thicknesse, R. A.
Hastie, A.	Thompson, Col.
Henry, A.	Thompson, G.
Hindley, C.	Thornely, T.
Humphery, Ald.	Walmsley, Sir J.
Jackson, W.	Wawn, J. T.
Kershaw, J.	Williams, J.
King, hon. P. J. L.	TELLERS.
M'Gregor, J.	Bowring, Dr.
Meagher, T.	Hume, J.

CAFFRE WAR.

House in Committee of Supply.

The CHANCELLOR OF THE EXCHEQUER moved—

"That a sum not exceeding 1,100,000*l.* be granted to Her Majesty towards defraying the expenses beyond the ordinary Grants for the year 1846-7, and 1847-8, for Army and Ordnance services occasioned by the Caffre war."

In the autumn of 1845 great alarm was felt in the Cape colony in consequence of the threatened incursions of the Caffres. Negotiations took place, which produced no result, and the last circumstance which provoked hostilities was an inroad made into the colony by a body of armed Caffres, who rescued one prisoner from the authorities, and murdered another. When remonstrated with, the Caffre chiefs replied that their young men were ready; and it was ascertained that they had made preparations for war by large purchases of arms and ammunition. Sir Peregrine Maitland proceeded to the scene of action, and took measures to check the Caffres, and to protect the colonists. His force, however, was inadequate, in consequence of two regiments having been detained at the River Plata. The expense of the operations had been considerably increased by the drought; the war was prolonged; and the Governor wrote home to say it was impossible the colony could bear the expense from its own resources. Previously to the last Session, the whole amount was very trifling, and not more than the colony could bear, particularly as the Governor had sent a despatch, stating that he had dismissed the burgher force, and the war was at an end. Unfortunately, Sir P. Maitland turned out to be very much mistaken, for immediately after the burgher force had been dismissed hostilities were renewed, and entailed more expense. Sir H. Pottinger was then sent out, and he checked the expenditure, which in many respects had become lavish and unjustifiable. But up to the present moment no final report had been received from him. The last despatch was dated December, and it contained the cash account only up to the January preceding. The best account which he could give of the expenditure was necessarily taken from the papers laid before the House. It was divided into two parts; the first, of which he had little reason to doubt the accuracy, was brought down to the 5th of April last, and it concluded the expenses of the Army, Ordnance, and Commissariat, amounting to 516,000*l.* The total expenses for the year he calculated at 520,000*l.* The expenses in the Session 1847-48 were 580,000*l.*, making together the present estimate 1,100,000*l.* He hoped that the vote would not have to be repeated, for he was happy to say that under the able guidance of Sir H. Pottinger, the bravery of our troops had brought the war to a successful issue.

MR. HUME said, that if England chose madly to rush into war, she ought to pay the expenses of it. He should like, however, to know how the war commenced. It was not enough to say that Sir Peregrine Maitland had made a mistake; what he wanted, without saying that this money should not be paid, was a copy of all the despatches on the subject from the first to the last. He understood that this war had commenced in 1845. Why then were they now, in 1848, without information upon the subject? If ever there was a case that required to be sifted in a Committee, this was that case; and therefore it was that he should move, "That the Chairman report progress, and obtain leave to sit again." He should like to know the cause of this war, and whether Governors were allowed to make war at their own pleasure.

The CHANCELLOR OF THE EXCHE-

QUER apprehended that every Governor had a right to repel aggression. However serious the consequences might be, he apprehended that Sir Peregrine Maitland would have been deeply responsible if he had not repelled the aggressions of the natives upon those whom it was the Governor's duty to protect. The cause of the war was pretty clearly explained by Sir Peregrine Maitland, at page 116 of the despatches. He said in his despatch, April 24, 1846—

"If the war were unnecessary to the preservation of this portion of the colony, and had been wantonly entered on for the acquisition of territory or cattle, and if I had not been unwillingly compelled to begin it by the obligation under which I hold my office, to provide for the safety and welfare of Her Majesty's subjects entrusted to my government, I should shrink from the task of laying before your Lordships the statements of this despatch. But I can conscientiously declare, and your Lordship will allow, that my series of despatches on frontier affairs bears out the assertion that I have done everything within my ability to avert hostilities and to preserve peace on both sides of the border, for the common welfare of the colonists and our uncivilised neighbours. I am now convinced that war with the colony has been for some time intended and diligently prepared for by them. The struggle was inevitable, and the time of commencement only a matter of policy with them, who as they grew prepared multiplied their daring outrages, and at the same time calculated on our long-tried forbearance still to afford them time to complete their preparations."

Now, he (the Chancellor of the Exchequer) said, deprecating war as much as any man, and fully persuaded that Governors could not wantonly enter into war, that there had been repeated outrages by the natives upon the lives and property of Her Majesty's subjects at the Cape of Good Hope, and that it was the positive duty of the Governor to protect the lives and property of the colonists.

MR. V. SMITH agreed with his hon. Friend the Member for Montrose, that there could not be a fitter subject for investigation by a Committee than this; for in the present distressed state of the country he was convinced that the people did not care one sixpence about this Caffre squabble. He would venture to say that one-tenth of the money that had been expended would have sufficed to have kept off all the Caffre aggressions that had been ever made. The state of our colonies required the attention of the country.

MR. BANKES: The question was not whether the vote should be granted or not, but whether it should be granted at the present moment. He was decidedly of opinion that, under all circumstances, it ought not to be granted at the present time. There was a Committee spoken of, and which would be, probably, nominated before the rising of the House that night, for inquiring into the expenditure of the Navy, Army, and Ordnance Estimates; and he apprehended that under some or all of these heads the subject now under discussion might be inquired into. He hoped that it would come under some one or other of these heads, for he agreed with the hon. Member for Montrose, that although Committees of the House were exceedingly valuable in their functions on proper occasions, that to multiply them unnecessarily was by no means advisable. He believed he was not in error in supposing that when the hon. Gentleman the Member for Montrose adhered to his expectation that some Member would propose a Committee on the subject, that the observation had reference to him, for he had had some preliminary conversation with the hon. Gentleman, which might have led him to that conclusion. He was glad, however, that he had not given any notice of the appointment of a Committee, as he did not wish to be accused of interposing between the hon. Gentleman and the discharge of that which might be considered his appropriate duty. He considered that the present question was one which well deserved their most anxious attention; and, holding this opinion, he was prepared to support the Amendment of the hon. Gentleman the Member for Montrose, that the vote be postponed. If, however, the House was of opinion that the question did not come within the province of the Committee to be appointed on the Army, Navy, and Ordnance Estimates, he would be prepared to move for a separate Committee. In his opinion, there were few subjects which could more properly occupy the public attention than this unfortunate war, which had cost the country so much money, and had brought pain to the families of some of those with whom he was most nearly acquainted. He had, therefore, the deepest interest in pressing for an inquiry into this war; and he could not see how they could conscientiously vote so large a sum of money in the absence of the official papers which had just been printed, but which nobody had as yet time to read. There must be some information of a valuable character in these despatches, or else the expense of printing them could not be justified. The hon. Member for

Northampton had justly observed, that of all our colonial possessions there were none which called for more anxious attention than that of the Cape of Good Hope. The possession of this colony had cost the country a vast expense in the maintenance of forces by sea and land; and what had been the equivalent gained? It brought us no profit, nor any reasonable prospect of it; on the contrary, its value as a colony had greatly diminished. It was exceedingly doubtful whether it was worth retaining at all, but certainly not at the present cost; and upon this account alone the appointment of a Committee would be desirable to determine its value. Before he concluded, he might be allowed to refer to another subject of a somewhat kindred character. The hon. Gentleman the Member for Montrose had made a Motion that evening on which he had not the opportunity of recording his vote, as he was absent from the House. But if he had been in the House he should not have voted for the Motion, though he would have adopted its sentiment. He doubted the expediency of that Committee, and he regretted very much to find it appointed without the recommendation of the Crown. The hon. Gentleman the Member for Montrose was about to enter the Committee, fettered by the resolutions which he had himself proposed; but he (Mr. Bankes) assured that hon. Gentleman that, although he was to the full as anxious to relieve the subject from taxation as he was, he believed, in case he should concur in reductions, his opinion would receive as much credit for sincerity as if he had gone into the Committee fettered by declarations and bound by resolutions.

Mr. W. MILES thought that the question was, whether or not we were to pay our debts, and if we were, he saw no reason for a postponement, especially when they were told by the Chancellor of the Exchequer that it was necessary for the public service that the vote should be granted without delay.

Mr. GLADSTONE had the honour to hold the Seals of the Colonial Department when Sir Peregrine Maitland was Governor of the Cape, and he wished to bear a brief but emphatic testimony to the character of that gallant officer. He ventured to say, without the smallest fear of contradiction from any quarter, that they never had, in charge of any colony of this country, at any period, either a more gallant soldier, or a more humane and conscientious man, than Sir Peregrine Maitland. Of that there could be no question amongst those acquainted with the gallant officer, whether in person or reputation. In point of fact it ought to be known that the charges made against Sir Peregrine Maitland were not charges of having wantonly and prematurely entered into a war with the Caffres; they were charges of a directly opposite character, viz., that he was too anxious to keep the peace—that he would not anticipate the movement which some parties saw was likely to occur. He enjoyed the universal respect of the community he governed, but was the object of censure with individuals from his unwillingness to involve the country in a war with savages. Understanding from the Chancellor of the Exchequer that, on the ground of public convenience, there was a necessity for this vote, he (Mr. Gladstone) should not hesitate to support it, although it might have been more satisfactory that the House should have been in possession of all the information on the subject of the war; but he trusted that the recollection of this subject would not pass away with voting the money. Whether there was any fault in the Colonial Office as to the policy pursued, he would not undertake to say. A great change had been adopted within the last twelve or fourteen years; and the effect of that change had been to bring heavy charges on this country. On the other hand, it was due to those who then held office to say, that the change which had been adopted proceeded from the purest motives, and from a feeling that the former system had been one in which the reckless will of individuals had been given too great a scope. He hoped that the lesson they were receiving to-night would be retained in the recollection of many, as applicable to the entire subject of colonial expenditure—one of the most formidable that could by possibility be brought before the House; and we should not have paid this money in vain if it were the means of leading to a profitable result as to moderation of views in the colonial empire, and to a determination to spare an immense charge on the people of this country for objects of small importance.

Mr. ELLICE wished to press on the House the serious importance of not allowing these colonial affairs to be treated lightly any longer. If it were necessary to protect the subjects of this country settling in distant and wild countries, let it be

done with the power, character, and efficiency that became this nation; but whilst he said that, he entreated the House to consider with what little precaution they had given encouragement to every enterprise of this description which had been projected on reasonable or on the wildest grounds. After the example of New Zealand, and after being called on to vote this one and a half million, with another vote in prospect, he felt it his duty to endeavour, with other Gentlemen acquainted with the subject, to impress on the House the importance of attending with more exactness than hitherto to the demands for expenses. There was another suggestion he would offer. He wished the right hon. Gentleman had explained to the House why, with a knowledge of the war pending before him, he did not come down to the House with an estimate and vote for the purposes of the war. It was too hard that they should be called on at this moment to vote for the expenses of three years' war, when they were scarcely aware that war was going on; and he thought there should be some regulation requiring a Secretary of State, when he saw the absolute necessity of war, to lay before the House the best estimate in his power of the expenses requisite to carry into effect at least the first operations. If the right hon. Gentleman had done this, he would not have given ground for the complaints of the hon. Member for Montrose. As, however, he understood that any delay in granting the money to Government might occasion inconvenience, and as he did not wish to place the least difficulty in the way of Government, he gave his concurrence to the vote.

MR. GEORGE THOMPSON thought the House had good ground of complaint against Government, for calling on them to vote this money without giving any information respecting the origin, progress, policy, or character of this war. Both former and later wars might have been prevented had just regard been paid to the rights of the aborigines.

The Committee divided on the question that the Chairman do report progress :— Ayes 61 ; Noes 252 : Majority 191.

List of the AYES.

Alcock, T.
Barkly, H.
Blake, M. J.
Bouverie, E. P.
Bowring, Dr.
Bright, J.
Brotherton, J.
Brown, W.
Burrell, Sir C. M.
Cobbold, J. C.
Cobden, R.
Cowan, C.
Crawford, W. S.
Deering, J.
D'Eyncourt, rt. hon. C.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Ewart, W.
Fagan, W.
Gardner, R.
Greene, J.
Hall, Sir B.
Hardcastle, J. A.
Hastie, A.
Henry, A.
Hindley, C.
Humphery, Ald.
Jolliffe, Sir W. G. H.
Kershaw, J.
King, hon. P. J. L.
Lushington, C.
M'Gregor, J.
Mowatt, F.
Mure, Col.
O'Brien, W. S.
O'Connor, F.
Osborne, R.
Pattison, J.
Pearson, C.
Pechell, Capt.
Pilkington, J.
Raphael, A.
Salwey, Col.
Scholefield, W.
Seeley, C.
Sibthorp, Col.
Sidney, T.
Smith, J. B.
Stansfield, W. R. C.
Stuart, Lord D.
Sullivan, M.
Thompson, Col.
Thornely, T.
Thornhill, G.
Urquhart, D.
Walmsley, Sir J.
Wawn, J. T.
Williams, J.
Willoughby, Sir H.
Yorke, hon. E. T.

TELLERS.

Hume, J.
Bankes, G.

List of the NOES.

Abdy, T. N.
Adair, H. E.
Adair, R. A. S.
Aglionby, H. A.
Anderson, A.
Anson, hon. Col.
Anson, Visct.
Arkwright, G.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bagshaw, J.
Bailey, J.
Baring, H. B.
Baring, rt. hon. F. T.
Baring, T.
Baring, hon. W. B.
Barnard, E. G.
Beckett, W.
Bellew, R. M.
Bennet, P.
Beresford, W.
Berkeley, hon. Capt.
Bernard, Visct.
Birch, Sir T. B.
Bourke, R. S.
Bowles, Adm.
Boyd, J.
Boyle, hon. Col.
Bramston, T. W.
Brand, T.
Broadley, H.
Brockman, E. D.
Bruce, C. L. C.
Bunbury, E. H.
Burke, Sir T. J.
Buxton, Sir E. N.
Cardwell, E.
Carew, W. H. P.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Cayley, E. S.
Charteris, hon. F.
Chichester, Lord J. L.
Childers, J. W.
Christy, S.
Clay, J.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Clifford, H. M.
Cockburn, A. J. E.
Colvile, C. R.
Compton, H. C.
Conolly, Col.
Corry, rt. hon. H. L.
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Cubitt, W.
Currie, R.
Davies, D. A. S.
Denison, J. E.
Douglas, Sir C. E.
Duff, G. S.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dundas, G.
Dunne, F. P.
Du Pre, C. G.
Ebrington, Visct.
Edwards, H.
Ellice, rt. hon. E.
Ellice, E.
Elliott, hon. J. E.
Evans, W.
Farrer, J.
Ferguson, Sir R. A.
Fitzpatrick, rt. hn. J. W.
Fitzroy, hon. H.
Foley, J. H. H.
Forbes, W.
Fordyce, A. D.
Forester, hon. G. W.
Forster, M.
Freestun, Col.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Glyn, G. C.
Gordon, Adm.

Gower, hon. F. L.
Graham, rt. hon. Sir J.
Greene, T.
Gregson, S.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Gwyn, H.
Hall, Col.
Hastie, A.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Heathcote, J.
Heneage, E.
Henley, J. W.
Hervey, Lord A.
Heywood, J.
Hildyard, T. B. T.
Hodges, T. L.
Hodges, T. T.
Hollond, R.
Hood, Sir A.
Hope, Sir J.
Hope, A.
Hotham, Lord
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Hudson, G.
Ingestre, Visct.
Inglis, Sir R. H.
Ireland, T. J.
Jackson, W.
Jervis, Sir J.
Jervis, J.
Jones, Sir W.
Jones, Capt.
Keogh, W.
Keppel, hon. G. T.
Ker, R.
Kildare, Marq. of
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Law, hon. C. E.
Lemon, Sir C.
Lennard, T. B.
Lewis, rt. hon. Sir T. F.
Lewis. G. C.
Lindsay, hon. Col.
Littleton, hon. E. R.
Loch, J.
Locke, J.
Lockhart, A. E.
Mackinnon, W. A.
Macnamara, Maj.
M'Naghten, Sir E.
Mahon, The O'Gorman
Marshall, J. G.
Marshall, W.
Martin, J.
Martin, S.
Masterman, J.
Matheson, A.
Matheson, J.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Miles, W.
Mitchell, T. A.
Moffatt, G.
Monsell, W.
Morgan, O.
Morpeth, Visct.
Morris, D.
Mulgrave, Earl of
Mundy, E. M.
Newry & Morne, Visct.
Nugent, Sir P.
O'Brien, Sir L.
O'Brien, T.
O'Flaherty, A.
Paget, Lord A.
Paget, Lord C.
Palmer, R.
Palmerston, Visct.
Parker, J.
Peel, rt. hon. Sir R.
Peel, Col.
Perfect, R.
Peto, S. M.
Pinney, W.
Plumptre, J. P.
Plowden, W. H. C.
Power, Dr.
Power, N.
Powlett, Lord W.
Price, Sir R.
Renton, J. C.
Ricardo, J. L.
Ricardo, O.
Rich, H.
Richards, R.
Robartes, T. J. A.
Romilly, J.
Russell, Lord J.
Russell, hon. E. S.
Rutherfurd, A.
Sadlier, J.
Sandars, G.
Scully, F.
Seymer, H. K.
Seymour, Lord
Shelburne, Earl of
Sheridan, R. B.
Slaney, R. A.
Smith, rt. hon. R. V.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Spooner, R.
Stafford, A.
Stanley, hon. E. J.
Stanton, W. H.
Staunton, Sir G. T.
Strickland, Sir G.
Strutt, rt. hon. E.
Sutton, hon. H. M.
Talbot, C. R. M.
Talbot, J. H.
Talfourd, Serj.
Tancred, H. W.
Tenison, E. K.
Thesiger, Sir F.
Thicknesse, R. A.
Tollemache, hon. F. J.
Towneley, J.
Townley, R. G.
Townshend, Capt.
Trelawny, J. S.
Trevor, hon. G. R.
Turner, E.
Turner, G. J.
Tynte, Col. C. J. K.
Vane, Lord H.
Verney, Sir H.
Waddington, H. S.
Wall, C. B.
Walpole, S. H.
Walsh, Sir J. B.
Ward, H. G.
Watkins, Col. L.
West, F. R.
Westhead, J. P.
Willcox, B. M.
Williamson, Sir H.
Wood, rt. hon. Sir C.
Wood, W. P.
Wortley, rt. hon. J. S.
Wrightson, W. B.
Wyld, J.
Wyvill, M.
Yorke, H. G. R.

TELLERS.
Tufnell, H.
Hill, Lord M.

Vote agreed to.

Vote of 245,410*l.* 19*s.* 7*d.*, for Navy excess in 1846-7, also agreed to.

House resumed, and adjourned at half-past Twelve o'clock.

HOUSE OF LORDS,

Monday, February 28, 1848.

MINUTES.] *Took the Oaths*—Several Lords.

PUBLIC BILLS.—3ª Diplomatic Relations, Court of Rome.

PETITIONS PRESENTED. From Hovingham, against further Concessions to Roman Catholics; and against the Admission of Jews into Parliament.—By the Earl of Roseberry, from Linlithgow and Queensferry, for Inquiry into the present System of Making and Maintaining Roads and Bridges in Scotland; and for Alteration of the Excise Laws.—From a General Convention of the Royal Burghs of Scotland for the Formation of a Harbour of Refuge at the Mouth of the Frith of Forth.—By Lord Stanley, from Preston, and other Places, against the Diplomatic Relations, Court of Rome, Bill.—By the Earl of Eglingtoun, from Montrose, for Alteration of the Bank Charter and Scottish Currency Acts.—From Clerks and other Officers employed in the Administration of the Poor Laws, for a Superannuation Fund for all Meritorious Officers who may become permanently Disabled.

DIPLOMATIC RELATIONS, COURT OF ROME, BILL.

The MARQUESS of LANSDOWNE, in moving the Third Reading of this Bill, said that after the discussion which had taken place, both on the second reading, and on going into Committee, it would be almost superfluous, were he at that stage to occupy their Lordships' attention. He would, however, take that opportunity of stating, that he did not propose to call on their Lordships to alter in any way the vote to which they had come the other night. At the same time, he believed it was the opinion of persons very learned in such matters, that the Amendment would not completely effect the object which those noble Lords had in view who proposed it. It could not be doubted that the Court of this country, and Ministers of this country, had had repeated communications with the Court of Rome and the Sovereigns of the Roman States. One remarkable instance occurred in the reign of Queen Anne—a Sovereign remarkable for her attachment to Protestantism, and to the Church of England in particular—when an Envoy was

sent to the Pope, on which occasion the ceremony of kissing his toe was dispensed with.

The BISHOP of ST. DAVID'S wished to state, that the vote which he gave the other night on this Bill was not in consequence of any change of opinion on his part on the subject of the clause in question. He wished it to be distinctly understood. that he differed wholly from the noble Lord on the cross benches, and his Friends, who seemed to think it desirable that an ambassador from Rome should unite in himself the character of a diplomatic agent and that of a member of a religious order of the Church of Rome. His own opinion was entirely different, for he thought grave consequences might arise from such an occurrence. Although his opinion remained unchanged on that point, what passed during the debate convinced him that the Amendment did place an anomalous and unpleasant limitation on the Royal prerogative, and that was his only reason for giving the vote which he did on that occasion.

The EARL of ABERDEEN, although not intending to offer any opposition to the third reading of the Bill, wished to take the present opportunity of making one or two observations. In this Bill, the Sovereign with whom it was proposed to enter into communication was styled the "Sovereign of the Roman States." Now, he confessed he entertained a strong objection to that description. He thought it sophistical altogether to attempt to separate the temporal character of that Sovereign from his spiritual character; and he felt quite certain that it could not be carried into effect. He thought it would be better, if in the first clause the object of the Bill was described to be so to enable Her Majesty to establish diplomatic relations with the "Court of Rome," meaning thereby the "Sovereign." The description "Sovereign of the Roman States," was an unusual and needless circumlocution, and it was less respectful to the Sovereign, if it was meant to evade giving him his proper title. When a Sovereign accredited a Minister to another Sovereign, whom he wished to treat with respect, he addressed him with his usual and proper title, and the Pope ought to be styled "Most Holy Father;" whereas if he was to be considered only a temporal Sovereign, Her Majesty would have to address him "Sir, my Brother." He saw no reason why, in the last clause, instead of calling him "Sovereign of the Roman States," he should not be called "Pope." He had been called the "Pope" over and over again. In the Treaty of Vienna, which was ratified by George III., he was called the "Pope;" and there was no reason why the same title should not be again used. Although it was possible that the Bill before their Lordships might be productive of some advantages, he could not help thinking it would be attended with much inconvenience. If the Bill was not intended to facilitate the dealing of this country with Her Majesty's Roman Catholic subjects, it would be positively useless and objectionable. But the noble Marquess professed that the measure had nothing to do with Ireland, but that it was introduced entirely in consequence of the state of Italy. Now, he (the Earl of Aberdeen) thought that could scarcely be correct, because a similar project was entertained many years ago; and if it was, he would most strongly protest against its adoption, for in his opinion it would be far better to abstain from any interference in the affairs of Italy; and it was evident from the instructions which had been laid on the table, addressed to the Lord Privy Seal, that it was not absolutely necessary to have an accredited Minister at the Court of Rome to enable the Government of this country to communicate with the Pope. It was true, it might give this country the means of promoting the progress of revolution in Italy; but at the same time our interference in Italy had already been the means of creating great distrust and alarm in the minds of those whom it professed not to wish to injure or disturb. He saw nothing in the present state of Italy to justify this measure. With respect to the state of Ireland, the Bill might give this country facilities which it did not at present possess. But difficulties existed even with respect to that country. Let their Lordships recollect what took place with respect to the Irish colleges. What would this country have done, supposing a British Minister had been at Rome at that time? The Court of Rome would have protested against the measure, and the Government of this country must either have abandoned its intention or still exercised its power. He (the Earl of Aberdeen) could only say that if a beneficial measure had been proposed for the welfare and peace of Ireland, and the Court of Rome had thought fit to counteract the good intentions of the Legislature, he should have been very much disposed to advise Her Majesty to recall Her Minister from that

Court. It should be borne in mind that the predecessor of the present liberal Pope gave no opposition to the establishment of these colleges, and that no difficulty was found in their establishment; but that the opposition had arisen since the accession of this European reformer. In conclusion, the noble Earl said he thought that it would be more rational and consistent to use the words "Court of Rome," in the first part of the Bill, and that instead of calling him the "Sovereign of the Roman States," in the latter part, he should be called "Pope."

The MARQUESS of LANSDOWNE did not think it necessary to enter into any discussion on the subject of this measure, especially as the noble Earl had stated that it was not his intention to oppose the Bill. He thought, however, that the remarks of the noble Earl were founded on a misunderstanding of some observations which he (the Marquess of Lansdowne) had made on a previous occasion; when he had stated that her Majesty was incapacitated by law from entering into spiritual communication with the Court of Rome. The noble Earl had observed that the communion of the Lord Privy Seal (the Earl of Minto) with the Court of Rome had excited the distrust of Foreign Powers. He begged most emphatically to deny that such expressions of distrust had reached Her Majesty's Government. The noble Earl stated that he knew such distrust had been expressed. He (the Marquess of Lansdowne) could not take upon himself to assert that such distrust had not been expressed, because he had not penetrated into the counsels of the States to which the noble Earl referred, as the noble Earl himself had done; but he (the Marquess of Lansdowne) would undertake to assert that, if such distrust had been entertained, it must have been kept a profound secret, for it had never been communicated to Her Majesty's Government. He might observe, with reference to the expression, "Sovereign of the Roman States," which had been objected to by the noble Earl, that that expression had not been originally used in the Bill; but it was introduced at the suggestion of the noble Duke (the Duke of Wellington), who had given much consideration to the subject. It was stated by a noble Earl, who had ample opportunities of ascertaining the views of the Court of Rome, that this expression would be acceptable to that Court; and as, on such authority, he (the Marquess of Lansdowne) had not hesitated to accept the term, so, notwithstanding the objection of the noble Earl, he did not hesitate to retain it. He (the Marquess of Lansdowne) understood that the Pope was known in Italy as the Sovereign of the Roman States, and that that title was recognised by the Italian States; and, having adopted that term, he conceived that Her Majesty would conduct any intercourse which might be held with the Court of Rome in such manner and terms as might seem befitting between the Sovereign of this country and the Sovereign of the Roman States.

Bill read 3ª and passed.

House adjourned.

HOUSE OF COMMONS,

Monday, February 28, 1848.

MINUTES.] NEW MEMBERS SWORN.—For Devizes, James Bucknall Bucknall Estcourt, Esq.—For Dublin University, Joseph Napier, Esq.

PUBLIC BILLS.—2° Joint Stock Companies.

3° and passed, Consolidated Fund (8,000,000).

PETITIONS PRESENTED. By Captain Archdall, and other hon. Members, from several Places, against, and by Mr. Mowatt, from Cornwall, in Favour of, the Jewish Disabilities Bill.—By Mr. Goulburn, from Lambeth, for a Better Observance of the Lord's Day.—From Clonmel, for the Abolition of Ministers' Money (Ireland).—By Mr. H. E. Adair, from Ipswich, and by Mr. Colvile, from Derby, against the Roman Catholic Charitable Trusts Bill.—By Sir Henry Halford, from Derby, and by Mr. Walker Heneage, from Devizes, complaining of the Conduct of the Roman Catholic Clergy (Ireland).—By Mr. Colvile, from Derby, against the Roman Catholic Relief Bill.—By Mr. G. S. Duff, from Elgin, for an Alteration of the Law respecting Sites for Churches (Scotland).—By Mr. Muntz, from Birmingham, against the Present Scheme of Emigration (Africa).—By Mr. Goulburn, from Jamaica, to take into Consideration the State of the West India Colonies.—By Mr. Roundell Palmer, from Plymouth, and by Mr. Campbell Renton, from Berwick-upon-Tweed, for a Repeal of the Duty on Attorneys' Certificates.—By Mr. Hume, from Forfarshire, for Inquiry into the Excise Laws.—By Mr. Keppel Coke, from Norfolk, and Mr. Pinney, from Wells, for Inquiry respecting Malt.—By Mr. Bright, from John Templer, of Lymington, Hants, for an Alteration of the Probate and Legacy Duties.—By Mr. Beckett, and other hon. Members, from a great number of Places, against a Continuation of the Property Tax.—By Sir Joshua Walmsley, from Leicester, and from Clonmel, for a Reduction of Duty on Tea.—By Mr. Robert Palmer, from Newbury, for a Repeal of the Duty on Windows.—By Mr. Hume, from Montrose, for a Repeal or Alteration of the Bank of England Charter Act, and Banking (Scotland) Act.—From several Lodges of Independent Order of Odd Fellows, for an Extension of the Benefit Societies Act.—By Captain Villiers, from Dorset, and by Mr. Colvile, from Derby, against the Diplomatic Relations with the Court of Rome Bill.—By Mr. Dunne, from Queen's County, for Encouragement to Schools in Connexion with the Church Education Society (Ireland).—By Mr. Elliott, from Hawick, for an Alteration of the Law of Entailed Estates (Scotland). By Mr. Wakley, from the Gloucestershire Medical Association, for Reform in the Medical Profession.—By Mr. Scully, from Clonmel, for an Alteration of the Municipal Corporations (Ireland) Act.—By Mr. Hugh Edward Adair, and other hon. Members, from several Places, for Retrenchment of the Naval and Military Expenditure.—By Mr. Cardwell, and other hon. Members, from several

Places, against a Repeal of the Navigation Laws.—By Mr. Moore, from Mayo, for an Alteration of the Poor Law (Ireland).—By Captain Archdall, from Tyrone, respecting the Dismissal of the Poor Law Guardians (Ireland).—By Mr. Philip Bennet, from Suffolk, for the Suppression of Promiscuous Intercourse.—By Mr. Beckett, from Leeds, against the Public Health Bill.—By Mr. William Evans, from several Places, for an Alteration of the Public Health Bill.—By Mr. Alexander Oswald, from Ayr, for Ameliorating the Condition of Schoolmasters (Scotland).—By Mr. Bright, and other hon. Members, from several Places, for Referring War Disputes to Arbitration.—From John Snare, of Reading, for Exemption from Distraint, as it affects the Works of Art.

THE REVOLUTION IN FRANCE.

MR. HUME wished to ask a question of Her Majesty's Ministers, with reference to the recent transactions in France, where the Government that had heretofore ruled no longer existed, and a new Government was established. The question he desired to have a reply to was, whether it were the intention of the Ministers that this country should abstain altogether from any interference with the people of France, and that the people should be left to choose for themselves, and settle what Government they pleased, so as to afford no ground for the complaint that we had meddled officiously with their affairs, or had constituted ourselves a party to any of their disputes? This was a question to which, if no objection could be urged, he was most anxious to have a reply.

LORD JOHN RUSSELL: Sir, I have no objection whatever to answer the question of the hon. Member. We have of course received the intelligence generally so well known to the public, of the changes which have taken place in France; and I can assure the House (indeed I should hardly have thought it necessary to make the declaration), that we have no intention whatever to interfere with the form of government which the French nation may choose to adopt, or in any way to meddle with the internal affairs of that country.

BREACH OF PRIVILEGE.

MR. MORGAN J. O'CONNELL was most unwilling to divert the attention of the House from the important question that was about to be submitted to its consideration; but he hoped for pardon if he ventured to trepass on their attention for a few moments to complain of a breach of privilege, and an invasion on the freedom of the Election Committees. The breach of privilege in question was to be found in a leading article published in the *Northern Star* newspaper of Saturday, the 26th instant. That article conveyed an imputation against his right hon. Friend the Secretary at War, and the Members generally of the Committee of Selection, and mentioned himself (Mr. O'Connell) by name as the deadly enemy of the hon. Member for Nottingham (Mr. O'Connor). The House could well afford to treat the attack with contempt; but he considered that an attempt had been made to overawe in his person the Members of that House, and that attempt, if permitted to pass unnoticed, might lead to results fatal to the freedom of their deliberations. He therefore felt it to be his duty to lay the newspaper on the table, and to move that the article of which he complained be read by the Clerk.

Motion carried.

Mr. Ley (the Clerk), read from the *Northern Star* of last Saturday the following:—

"Parliamentary Committees — The Accused his own Judge—It is a farce with which the people should be acquainted, that Feargus O'Connor is the accuser of Whig delinquents, while Fox Maule, the Whig Secretary at War, is the person who has the nomination of the Election Committee which is to decide upon Mr. O'Connor's right to sit in Parliament; while Mr. Morgan John O'Connell, the deadly enemy of Mr. O'Connor, may be, and probably will be, selected as chairman or judge upon the Committee. Formerly, the practice was, that thirty-three Members were balloted from among those present; the petitioners, as in the case of a special jury, struck out eleven names; the Member petitioned against also struck out eleven; and the remaining eleven constituted the Committee. Now, however, the case is altered: the House is divided into panels; Mr. Fox Maule, as chairman of the Committee of Selection, refers the petition to what panel he pleases, and selects his chairman of the Committee. Now this is the tribunal to which Mr. O'Connor's right to sit in Parliament is to be submitted; while, as far as the subscriptions have gone, it would appear as if those for whom he had struggled were determined to allow him to struggle for himself in this instance. We believe that the amount collected in one night for the defence of the seat of Mr. Reynolds, the Member for Dublin, was over 2,000*l.*, while the amount subscribed for the defence of Mr. O'Connor's seat scarcely amounts to 400*l.* This forms a strong contrast between English and Irish patriotism. The amount altogether subscribed does not exceed five farthings a man of the members of the Land Company. The directors consider this but a poor inducement for any gentleman to struggle for the rights of the poor."

MR. MORGAN J. O'CONNELL believed, that, at least as a matter of form, it would be his duty to follow up the reading of that extract by a Motion; but before doing so he would take occasion to observe that he had brought the matter forward, not through any persuasion that the Mem-

bers of the Election Committees need care for such an attack, but because he thought it desirable that the public should be undeceived, and that they should understand that his right hon. Friend the Secretary at War, so far from being the person who had the nomination of the Election Committee in his own hands, had of himself no more power or authority than any hon. Member who was now present. It was necessary that he should have a majority of four out of six with him, otherwise no resolution of his could stand. It was also right that the public, whom it was here sought to misinform, should know that if any valid objection could be urged against any hon. Gentleman acting either as Chairman or Member of the Committee, it was quite competent for either party—the petitioned against or the petitioner—to urge that objection at the proper time. They had no power to cause the name to be peremptorily struck off, as in the case of a special jury; but each party had the same right of challenge for cause, which belonged to every subject of the realm. It was right that these facts should be properly understood by the public. As business of a much more important character was about to engage the attention of the House, it was not worth while to carry the matter farther. He trusted that the mere allusion to it in that House would serve the purpose he had in view. In order, however, to keep himself within the rules of the House, he would conclude by making a formal Motion that the Printer and Publisher of the Newspaper in question be summoned to the bar of the House.

Mr. O'CONNOR, as proprietor of the newspaper alluded to, had always suffered in his own person anything that was to be undergone. This was the first time that the printer had ever been called on. He admitted that he had written with warmth, but denied that in speaking of the new regulations which governed the constitution of Election Committees he had gone as far as many hon. Members in that House. He had not gone as far as the hon Member for Kerry himself, who had characterised the present mode of selecting Committees by the precise phrase which he (Mr. O'Connor) had used, namely, as "a farce." He spoke from experience; for, on one occasion, when he served on one of those Committees, and gave his vote for the Tory candidate, he was denounced for acting according to the dictates of his conscience. It could not be said with truth, in general terms, that the parties litigant had under the present system a right of challenge for cause. They had only a right of challenge for such cause as was expressly laid down in the Act of Parliament. When a man was on trial for his life, he could, after exhausting his peremptory challenges, challenge for cause. Had such a privilege been permitted to him he should most unquestionably have challenged the right hon. Gentleman the Secretary at War, and also the hon. Member for Kerry. The latter he would have challenged because of a personal quarrel he had had with him, and he would have done so in justice to himself and to the hon. Member. With respect to the expenses of his election, he had all along stated that he did not expect to gain anything by entering that House, and that he did not think it was right he should be called on to defray the charges out of his own pocket. With regard to the Land Company, he had expended on that project at least 1,000*l*. He had often defended others at his own charge, who were unable to defend themselves; but one farthing of the money of the people he had never received. He had sat in that House for three Parliaments, and never offended any one, either inside or outside of it. But if he had said anything to hurt the feelings of the hon. Member for Kerry, he requested that Gentleman would accept his apology. He might be allowed, in conclusion, to observe, that he had suffered severely from the decisions of Election Committees, for, on one occasion, he was thrown out for want of qualification, though it was proved that he had 5,000*l*. a year.

Mr. M. J. O'CONNEL, disclaimed being actuated by personal feelings.

Motion withdrawn.

WAYS AND MEANS—THE FINANCES OF THE COUNTRY.

The CHANCELLOR of the EXCHEQUER said: I rise, Sir, to move the Order of the Day for going into Committee of Ways and Means; and I think it is desirable that in doing so I should avail myself of this opportunity of stating more fully than it was practicable for my noble Friend (Lord John Russell) to do in his speech a few evenings since, the state of the finances of this country, and the course which it is the intention of Her Majesty's Government to pursue. Some hon. Members have complained that they did not fully understand some portions of my noble

Friend's address, having reference to the financial position of the country. Further explanation, therefore, would appear to be desirable; and as I find by a reference to the Votes that two notices have been given of Motions intended to be proposed as amendments on the question that the Speaker do leave the chair, it occurs to me that I shall best consult the convenience of the House by now making the statement which I am anxious to submit to it, instead of waiting until the debate shall have been raised on one or other of those Motions, or until the House shall have gone into Committee. The present state of the finances of the country appeared on the face of the balance-sheet which has already been laid before the public. The first portion of that document consists of a comparison between the income and the expenditure of the country, for the year to which the balance-sheet refers; but in the case of the present year it has been necessary, owing to the form of making up the accounts, to include in the expenditure side, an item of expense, which ought not fairly to be charged on the ordinary income of the year. On the one hand, we find in the balance-sheet with which we have now to deal, a statement that there is an excess of expenditure over income for the year ending the 5th of January last, of a sum of 2,956,000*l.*; but on the other hand it will be seen that, out of the expenditure, a sum of no less than 1,525,000*l.* has been incurred on account of the distress in Ireland. The House will bear in mind that it was the declared intention of the Government and of Parliament that this expenditure should be defrayed out of the loan of eight millions which was raised last year expressly for the purposes of the Irish people; and this being so, it is of course clear that the item is one which cannot be put against the ordinary income of the country. It is only fair that this sum should be deducted from what would otherwise be the difference between the income and expenditure of the year. Deduct therefore that item of 1,525,000*l.* for Irish purposes from the gross total of 2,956,000*l.*, and it will be seen that the actual excess of expenditure over income is about 1,400,000*l.* My noble Friend at the head of the Government stated, in the course of his address a few evenings since, that the sources of income on which at this time last year we calculated that we might rely, included a sum from an extraordinary source, a payment on account of the Chinese ransom, amounting to 450,000*l.* However, it so happened, that during the year ending the 5th of January last, no sum whatever has been received on account of the Chinese ransom. I stated on a previous evening that the sum which had entered into our calculation as a source of revenue was still in the commissariat chest. A vote, however, was agreed to a few nights since by this House, which will enable me to draw the money. The 450,000*l.* in part payment of the Chinese ransom, on which we had reckoned as being available for the purposes of the financial year, will be received during the present quarter, and will be carried to the account of the income of the present year. If, therefore, the ordinary income shall equal the ordinary expenditure during the present quarter, I shall be at liberty to deduct this 450,000*l.* from the excess of expenditure, as it appeared in the balance-sheet of January, and thus the excess of expenditure over income will be diminished at the end of the financial year to 1,000,000*l.* or thereabouts. And this will be consistent with the calculations already stated to the House, for it will be in the recollection of hon. Gentlemen that my noble Friend stated that the excess would be probably about 900,000*l.* or 1,000,000*l.* What the precise amount may be, is not very easy to estimate; for I am sorry to say that those symptoms of reviving trade which the House has heretofore watched with feelings of such deep interest, are not quite so rapid in their progress as many hon. Members had anticipated. The year 1847 was a year of extraordinary receipt in the first quarter; but I cannot expect that we shall be equally fortunate this year: on the contrary, our receipts, so far as we have gone, have fallen short of the receipts during the corresponding quarter of last year by about 400,000*l.* We anticipate some improvement in the Excise department before the 5th of April next; but still we are not sanguine in the expectation that even by this receipt the deficiency which I have stated can be considerably reduced. On the whole we calculate that the excess of expenditure over income for the year ending the 5th of April, 1848, will be somewhat under one million. And, Sir, I will not hesitate to say, that, taking into consideration the disastrous circumstances through which we have passed, and the extent of the calamity with which, during a year of unprecedented distress, it has pleased Providence to visit us, and having

regard to the enormous expenditure which that calamity of necessity occasioned, I say, Sir, that bearing all these things in mind, the amount of deficiency is one at which we have no reason to wonder or to complain. Such, then, is the state of the income and expenditure, so far as I am able to estimate it, up to the close of the present financial year. I will now proceed to consider the prospects of the year extending from April next until April 1849. My noble Friend at the head of the Government stated what the total expenditure during that year would in all probability amount to. It is notorious to every one who has any acquaintance with the subject, that our expenditure is composed of various items, some of which are susceptible of reduction, whilst others are of such a character that the House can exercise little or no control over them. Prominent among the latter class of items is the interest on the public debt. The interest on the funded debt will amount during the year ending April 1849, to 27,778,000*l.* The interest on the unfunded debt, that is to say, on the Exchequer-bills, may be estimated as amounting in the aggregate to 752,000*l.* The interest on some of these securities, namely, on the Exchequer-bills due in March, I reduced from threepence to twopence halfpenny. The March bills, therefore, will only bear interest at the rate of twopence halfpenny; but the full rate of threepence will have to be paid on the bills to be exchanged in June. The whole amount of interest payable on the public debt during the next financial year may be calculated in round numbers at 28,530,000*l.* Enormous though this item unquestionably is, hon. Members must see that it is not susceptible of the slightest diminution. The charge on the Consolidated Fund is also fixed by Acts of Parliament, and is in great measure beyond the control of this House. It is somewhat higher this year than last; but the excess is easily accounted for by the fact, that, in pursuance of an Act of Parliament passed in the year 1846, the expense of the Irish constabulary establishment is now permanently fixed as a charge on the Consolidated Fund, and it turns out to be more than was estimated. The total charge under the head of Consolidated Fund may be calculated at 2,750,000*l.*—a large item, but one which, from its very nature, is to a considerable degree beyond our control. The next source of expenditure is on account of what is called the Supply services; but a large part of this branch of the public outlay, consisting as it does of pensions and half-pay allowances to public servants, it is not in the power of the Executive Government to reduce. To the recipients of these payments, the faith of the Government, and, indeed, of the country at large, has been pledged; and I cannot see how, due regard being had, to the honour of the country, it would be possible to make any reduction in what is due to them. The expenditure under this head is calculated for the ensuing year at 3,650,000*l.* This amount is not susceptible of diminution except by the death of some of the parties, who, so long as they live, are entitled to the amount of both pay or pension, of which they are in the receipt. Speaking therefore in round numbers, the House will perceive that the proportion of the annual public expenditure over which it is nearly out of the question that the Government should exercise any control, amounts to no less a sum than 35,000,000*l.* Hon. Members are apt to talk of the enormous amount of the national expenditure; and they occasionally enforce with eloquence the wisdom and necessity of making great reductions in our outlay; but it would be well if they would bear in mind how comparatively small, after all, is the proportion of that expenditure over which it is possible for this House to exercise any control whatever. Even taking into account the increased estimates of this year, for the effective services of all descriptions whatsoever, the total amount really susceptible of reduction, so far from being some 54,000,000*l.* or 55,000,000*l.*, as some hon. Members imagine, amounts to no more than 18,153,000*l.* It is only on an expenditure of 18,153,000*l.* that our greatest exertions in the way of economy can be brought to bear; and sure I am that a little reflection and a careful examination of the true merits of the case, will show that it is not possible to make out of this sum for effective services any reductions which would amount —as some hon. Members would have us believe—to some millions of money. It is true that the estimates have been very considerably increased of late years; but I must, at the same time, state, that they have been uniformly increased with the full sanction and approval of the House of Commons. I commenced my services as Secretary to the Admiralty twelve years ago; and I can conscientiously affirm that, during the four years I held that office, the duty which I was most frequently

called upon to perform in this House, was to defend the Admiralty against the charges of hon. Members on all sides, who attacked them for not making larger demands on the public treasury. Indeed, I may say, that it almost invariably happens that when the House of Commons interferes to increase expenditure, its interference has reference to precisely that branch of the service—the non-effective—which is not susceptible of subsequent reduction. Government often proposes increases to the effective service of the country in the different departments. The House generally interferes to increase the non-effective service. Some hon. Member, whose generous feelings have been appealed to, solicits an increase in the half-pay, pension, or allowance of some public servant, or class of public servants, whose services he believes to be inadequately remunerated. The House assents, and it is inconsistent with honour or good faith that a reduction should be made at any subsequent period. Were it not that I am unwilling to trespass on the attention of the House, I could cite various instances where an increased expenditure was forced on the Admiralty by this House when I was connected with that department. Sometimes it was urged that the pursers and other officers should be better paid; again it was represented that the rate of wages in the dockyards ought to be raised; and so on through various branches of the naval department. The House always lent a willing ear to the representation, and frequently I could rely on very little support in resisting these demands beyond that of my hon. Friend the Member for Montrose. My hon. Friend the Secretary to the Admiralty stated, that one heavy branch of expenditure — the works in the dockyards — had increased and was increasing in consequence of the change from sailing vessels to steam vessels; that in order to provide adequate means for accommodating and repairing this expensive class of vessels, it was indispensable to erect at different yards factories for the construction and repairs of steam machinery. The accounts for new works mainly for this purpose amount to no less than 621,000*l.* In another branch of the naval service, —the conveyance of the mails by contract —carried on mainly for the accommodation of the commercial world, the increase of expense is very great. In 1835-6 the whole payment on this head was about 11,000*l.*, and the estimate for 1848-9 is 611,662*l.* Now, it is not quite fair on the part of those Gentlemen who have called for increased facilities in our intercourse with foreign ports—who tell us how important it is to have ready communication with the United States, the West Indies, the East Indies, and other parts of the world, and how much commerce is benefited by this increase of communication—it is not fair, I say, for those Gentlemen to tell us now that we are guilty of a profligate and wasteful expenditure in increasing our Naval Estimates, when so large a proportion of that increase is for this purpose. Indeed, the most economical Members of this House are ready to press upon departments increase of expenditure in various ways, forgetting that that unfortunate person the Chancellor of the Exchequer has not the means of paying for such increase without additional taxation. The hon. Member for Montrose, for example, is in favour of the Tidal Commission being paid out of the public Exchequer, and thus adding to our expenses. He is anxious, also, that the expense of lighthouses should be taken upon the general revenue, and not from a charge on passing ships. I will not give any opinion on the question whether the expenses of lighthouses, which amount to 220,000*l.*, should or should not be paid out of the revenue. It may be right that this sum should be taken from the general revenue of the country, instead of being raised by the present mode of taxing ships or particular localities; but, surely, any hon. Gentleman who presses this upon the Government should remember that it is indispensably necessary to provide by taxation the means of payment out of the revenue. Something has been said about the Army expenditure, though this department has not been much increased; but from a paper which has been put into my hands by the right hon. Gentleman the Secretary at War it appears that about 264,000*l.* per annum of additional expenditure has been entailed upon that department by improvements in regimental hospitals, the increased comfort of soldiers, the abolition of the deduction of poundage in the payment of their pensions, and other matters of that kind brought about by the recommendations of Members of this House; and I may state, as a proof that Government have not been so careless in the administration of the public money as is alleged, that, though a number of men to the extent of 32,000 are to be provided for

this year more than in 1835, the improved administration is such, that if the same numerical force were to be provided for this year without any of those additions of one sort or another of the kind to which I have referred, they would be provided for at a reduced expense of 647,000*l.* Then, with regard to the Ordnance Department, there is also there some increase of expense; but that is mainly owing to what hon. Gentlemen must be aware is indispensably necessary; I refer to the change of armament, both in cannon and muskets. Everybody knows that the armament of ships is altered, and in recent years there has been introduced into vessels of war an improved armament:—guns of a different calibre have been introduced, and of course it is as necessary for us as for other nations to avail ourselves of the improvements of science, and arm our vessels in the most improved way. I will take another source of expenditure. Every Gentleman is aware, that for the last few years percussion muskets have been introduced, instead of the old musket with a flint lock, such as that with which most of us probably learned to shoot. That change has entailed a very considerable expense; but it was necessary to incur it, for the purpose of effectively arming our troops. Does any Gentleman recollect what took place during the Chinese war, and which was stated in this House? It appeared that two companies of soldiers belonging to a regiment, armed with the old-fashioned musket, were surrounded by a party of Chinese in the midst of a heavy rain, which prevented the muskets from going off. By great exertion they kept the Chinese force, which was ten times their number, at bay for some hours until they were relieved by a company of marines who were armed with percussion muskets; and were able at once to drive off the Chinese, because their muskets could be fired, notwithstanding the rain, when the flint muskets of the soldiers would not go off. With such a case as that before us, would it, I ask, be fair on our part to continue to arm our troops with inferior muskets? Will you, I ask, refuse to incur that expense which is necessary to send our brave and gallant men properly armed into action? I will come now to the Miscellaneous service. I have stated before that the present Government were so fully aware of the expediency of an inquiry into the increase of expense on the miscellaneous service, that no sooner had my noble Friend (Lord John Russell) taken the position which he now occupies, than he announced his intention of appointing a Committee to inquire into the expense of the miscellaneous services. Look, again, to the sources of that increased expenditure. The hon. Gentleman the Member for Northamptonshire moved last year for a very useful return, stating the amount of the Miscellaneous Estimates in the year 1828, in the year 1838, and in the year 1847; the increase and decrease; and the cause and source of such increase and decrease. If hon. Gentlemen will look over that paper, they will see how large a portion of that increase is for purposes suggested or approved of by the House of Commons, and merely carried into effect by the Government in accordance with the suggestion of the House of Commons. Without going through every item very carefully, I find 140,000*l.* on the recommendation of a Select Committee of the House of Commons for harbours of refuge; 50,000*l.* for the Caledonian Canal; 172,000*l.* for the Poor Law Commissioners, Inspectors, Auditors of Unions, Medical Officers of Unions, Schoolmasters, &c.; 27,000*l.* for the Commissioners of Public Works in Ireland, and their establishment; 104,860*l.* the increased expense of printing and stationery since 1828, chiefly owing to the great increase of printing for Parliament; 120,000*l.* increase on the Vote for Education since 1828; 30,000*l.* increase for the British Museum; and a sum of 320,000*l.* for public prosecutions. I will not fatigue the House by further detail. In some of these cases the whole expense is totally new, and in other instances expenses have been transferred from other sources; but if hon. Gentlemen will look through these charges, even in the most cursory way, they will find that since the year 1828 there has been an increase of upwards of 1,000,000 per annum for various services of this description, either on recommendations from the House, or in conformity with the wishes of the country. There is another source of expenditure which has been alluded to by the hon. Gentleman the Member for Montrose, and that is the expense incurred in the collection of the revenue. Now what is the fact? In the collection of the Excise a considerable reduction has been made by my hon. Friend and namesake, the Chairman of the Excise: improved arrangements were made by the Board, and I believe it would be difficult to collect the Excise revenue at less expense than is now incurred. With

respect to the expense of collecting the Customs revenue, I shall be very glad to reduce it if I can; but the advocates for increased expense are the merchants and traders of the ports. They say they have not a sufficient number of landingwaiters and other officers to discharge the number of vessels that may probably arrive at one time, and that consequently their trade will suffer. They say "we will not be content with a certain number of officers, enough for ordinary occasions, but must have a sufficient number to relieve us from the effects of delay, when an unusual number of vessels arrive at once." I was speaking to the Chairman of Customs the other day, and he told me that he addressed circulars to the collectors of the various ports in the country asking them what reduction could be effected, and they stated that certain officers might be withdrawn; but in every case the rumour of such a reduction was followed by a remonstrance from the merchants at the place, stating the inconvenience the traders would be subjected to if any reduction were made in those establishments. Thus, again, if the merchants and traders of the country are to have that accommodation which they require, surely they ought not to find fault with the expenditure necessary to suit their own convenience, and promote their accommodation. I believe that, taking it generally, the greater portion of the increase of expenditure has been made in conformity with the opinion of the great majority of the House; in most instances in accordance with the opinion of the people of the country, and at the suggestion and request of their representatives; and there has been no wish on the part of the Government unnecessarily to increase expense. As was said by an hon. Friend of mine the other day, the time must come when bills must be paid; and therefore, as was also observed by a right hon. Gentleman, it is clearly the interest of the Government, and, above all, of the Chancellor of the Exchequer, to keep down expenditure; for if there be any man in the country whose interest as well as whose duty it is to be more sparing than another, it must be admitted that it is the person who has to find the means of paying the debt. It would be, of course, more agreeable for me to come down here and propose a remission of taxes, than to propose increased taxation; and therefore I can assure you, Sir, that even amongst the most economical Members of the House you will not find any man more disposed than myself to aid in every endeavour to cut down all unnecessary expenditure, and save every sixpence that can be saved, merely retaining those establishments which are indispensable for the best interests of the country. The hon. Gentleman the Member for Montrose is, I believe, the most efficient assistant a Chancellor of the Exchequer can have; and he may depend upon the exertions of the Government to effect every reduction in their power. Indeed I believe that the right hon. Gentleman opposite (Mr. Goulburn), and the right hon. Gentleman behind me (Mr. Baring), will concur with me in saying that we are, from the position we have filled, three of the most economical persons in the House, and that our earnest wish has always been to have every practical reduction carried into effect. I must, however, guard myself to this extent—though I think it right that those reductions should be made, I would press upon the House not to attempt to force reductions in a hasty and thoughtless manner. That would in the end prove very bad economy. Let reductions be made in a manner clearly conducive to the permanent interests of the country. In carrying reductions into effect, they may be made in two different ways. It is possible, no doubt, to reduce the forces of the Army and Navy; it is possible also to make reductions either in the mode of paying them, or in the expenditure connected with them. On looking to this subject, it is right to say, on the part of the Government, that when the proposition with regard to the increased expenditure for the Army and Navy was made by my noble Friend, we did not propose under the then circumstances of the country any greater force than we thought indispensably necessary. I will not allude ni any way to the events that have occurred since we proposed that amount of force. I will only say—in which I am sure nine-tenths of the House will agree with me — that it would not be expedient for us now to propose the reduction of this force. With regard to the expenditure the case is different; and if any reduction can be effected in the expenditure, we shall be most ready to effect it; but Her Majesty's Ministers must adhere to the number of forces mentioned in the estimates on the table. With regard to the Miscellaneous Estimates, I must say that I have not yet gone fully through them; and if any effectual reduction can be made in them, I shall be most happy to make it. But I should deceive the House if I said

that either by the conduct of the Government, or by the investigation of the Committee any very large reduction could be made within the year. In point of fact, in many cases, an increase of expenditure would be at present incurred by the immediate reduction of the forces; for example, if we made a reduction of 5,000 men in the Navy. The only way in which we could effect our object would be by paying off that number of men; and the result would be a temporary increase in the expenditure. In like manner it would be exceedingly bad economy to stop short with any of the great works which have been undertaken. As we were told the other night, we ought to carry on the building of this House without postponement, because any delay would increase the ultimate expense. Now, if we were to stop short with the works in progress at Portsmouth or at Plymouth, the consequence would be that if left in an unfinished state those works would be injured by the weather, and an ultimate loss would be caused. On the termination of those works, of course a reduction of expenditure will take place. The proper way of reducing the expenditure is to prevent as much as possible future undertakings, and to make a gradual reduction of the present outlay as works are completed. There should be a certain time allowed for doing this; it should not be done hastily on the spur of the moment, but by degrees. We have been referred to the mode in which private individuals act when they find their expenditure exceeding their income, and I quite agree that hon. Gentlemen, when thinking of the mode of reducing public expenditure, should advert to the means generally adopted in the reduction of their expenses by private individuals. I ask, how is the reduction in private expenditure usually made? If a gentleman makes a sudden reduction of his expenses, he breaks up his establishment, shuts up his house, discharges his servants, and goes abroad. But that is not a course which the country can take. We can only act as the private gentleman does who stays at home, and determines to bring his expenses within his income. He will reduce his expenditure quietly and gradually. Now, depend upon it, there is a great similarity between public and private expenditure. Adhere, therefore, to the system of making gradual reductions, until we shall be able by degrees to bring our expenditure within our means. I am anxious to have our expenditure reduced, and, with the view of effecting that object, two Committees have been appointed—one to examine into the expenditure of the Army, Navy, and Ordnance—the other to inquire into the Miscellaneous Estimates. Now, I cannot but say that those Committees will not be able, in my opinion, to propose practically any great reduction of expenditure within the year, whatever reductions the Government may be able to make in subsequent years. The expenditure for this year includes also some past expenditure, that for the Caffre war, and the naval excess of last year. Expenses of this description have been invariably included in the budget of the subsequent year. Such was the course adopted with reference to the expense incurred by the Canadian outbreak, and the war in China; and if hon. Gentlemen look into the naval votes of former years, they will see that an excess has been invariably included in the expenditure of the ensuing year, and provided for out of the ways and means of the ensuing year. The estimated expenditure for the year will be upwards of 54,440,000*l.* I now come to the Income. With regard to the income of the year, my noble Friend has stated that he had taken the estimated income at 51,250,000. The estimate for the Customs is 19,750,000*l.*; but I admit it is very difficult, after two such years as we have had, one of extraordinary adversity, the other of extraordinary prosperity, to make an accurate estimate of this source of income; and I have taken the Customs revenue at about the same amount as in the year 1845–6. It is useless going beyond that year on account of the reductions made by the right hon. Gentleman opposite in 1845. The year 1845–6 was a year of great prosperity; and the income of the ensuing year may perhaps be taken at about the same amount as that received in the year 1845–6. It must be remembered, however, that last year the effect of the adverse circumstances did not appear to tell upon the revenue until after the July quarter. Though the failure of the harvest took place in autumn, 1846, the receipts of the April and July quarters following were rather favourable. I cannot at present anticipate what may be the effect produced during this year; but I fear that the receipts during a considerable portion of the year will retain the impress of our recent misfortunes. I know some Gentlemen are sanguine enough to expect a rapid rise, and hope that the receipts will speedily run up to their former level. I cannot say that I agree in this opinion;

and I rather concur with the hon. Gentleman opposite (Mr. Robinson) as to there being no prospect of an immediate rise, though I have no fear of the ultimate result. In the Excise department, the receipts are estimated at 13,000,000*l.* There will be an additional receipt arising from the probable increase of the duties on malt and spirits, though under these heads it is not to be expected that the receipts will be very great in Ireland; but we have reason to expect there will be a very considerable falling-off in the brick duty, as compared to last year, of about 200,000*l.* It amounted last year to about 600,000*l.*; but it is to be recollected, that there was an extraordinary consumption on railways and in building. I also anticipate a considerable falling-off in the duty on hops. I will take half a million for the duty on stage coaches and railways, which have recently been transferred to the Excise. I take Stamps at 7,200,000*l.* after making a deduction for the above duties. I will take the taxes at about 4,340,000*l.*, and the income-tax at 5,200,000*l.*, supposing it to be renewed at the present rate. I estimate the Post Office at 900,000*l.*, the produce of the Crown lands, I calculate, will be about 60,000*l.*, and I put down the Miscellaneous receipts at 300,000*l.* The payment of the China money has ceased; the last payment has been made, and henceforward we must depend upon the ordinary revenue without looking to any resources of that kind. The whole of the income, I calculate, will amount to 51,250,000*l.* It has been said that I should take into account the amount of the repayment of advances to Ireland. Repayments of advances have never been considered as income; though they increase the amount of balances in the Exchequer. The amount of such repayments will not, however, be very large in any one year, for according to arrangement the sum advanced in the course of the last year is to be repaid by instalments, distributed over several years; and the possible receipts in any one year cannot amount to a very great sum. Early in the year I was pressed to say what it was the intention of the Government to do with respect to the advance of sums to undertake such works in Ireland as would afford some employment to the people. The answer I then gave was, that I did not believe any large amount of money would be required, because I believed that the receipts under the poor-law would be sufficient to sustain the people who required relief. But we were prepared to readvance the amount of such repayments as might be received; and therefore I shall not retain any sum in the Exchequer for other purposes. I have now stated the expenditure for the year, and the income for the year; and the result is as was stated by my noble Friend (Lord J. Russell), that assuming the renewal of the income-tax at the present rate, there would be an addition to the income required of about 3,200,000*l.* If the income-tax is not to be renewed, there will be a deficiency to be provided for of upwards of 8,000,000*l.* It became then our serious duty to consider what course we should take to provide for the deficiency. My right hon. Friend the Member for Portsmouth has said that, in his opinion, we should not be justified in having recourse to a loan, though we adopted that course last year, in consequence of the extraordinary expenditure occasioned by an unexampled pressure upon us; and it is now to be considered how we are to meet the present emergency.

Mr. GOULBURN: I think the right hon. Gentleman has made a mistake. The right hon. Gentleman seems to forget that in the course of this year two millions and a half, due on the original income-tax, may be received and applied.

The CHANCELLOR of the EXCHEQUER: I have compared the ordinary income with the ordinary expenditure of a year, one year with another; but I admit it is quite true that that sum to which the right hon. Gentleman has referred may be receivable in the next year, even if the tax be not renewed. We thought it to be our duty to look beyond the single year, and, comparing the ordinary income with the ordinary expenditure, to adopt some means of providing for the further expenditure that has become necessary. It was likewise our duty to look to the course of financial policy adopted for the last few years. We have reflected upon the course which has been adopted, and we have looked to the manner in which it was received, acquiesced in, and approved of by the House. Without going further back than the year 1842, we remember that in that year, there being a deficiency, the right hon. Gentleman opposite proposed the imposition of an income-tax, not only for the purpose partly of meeting that deficiency, but also for the purpose of reducing indirect taxation, which pressed heavily upon the necessaries of life, and the raw materials for our manufactures; thus diminish-

ing the expenditure of the consumer, and giving increased employment to those engaged in manufactures. The right hon. Gentleman proposed, not a property-tax—he said a property-tax was not admissible as a substitute for indirect taxation—but he proposed an income-tax, to be paid by all classes of the community. He stated his intention to exempt from the tax all persons receiving an income under a particular amount from whatever source the income was derived, so as to make the tax press almost exclusively upon the richer classes. In the course of the years that followed 1842, the right hon. Gentleman reduced the duty on many of the main articles of consumption—on corn, butter, cheese, foreign spirits, &c. &c. We reduced ourselves the duty on sugar. The duty on wool was likewise reduced, as well as that on timber, on glass, and those on several other articles which it is needless to enumerate. In point of fact, from the year 1842 to 1847, the total amount of taxation remitted amounted to seven and a half millions, of which the country has had the benefit. We therefore thought it better to pursue the course so sanctioned by Parliament and the country. I have been reminded that, in the year 1842, I was one of the persons who opposed and pointed out the inequality of the income-tax. Sir, no doubt I did. My opinion is in no respect changed as to the inequality of the income-tax, and I only stated at that time what I am prepared to repeat now. My hon. Friend behind me assures me the tax is objectionable; and his objection goes, not to the mode in which it is imposed, but to its being imposed at all. I wish to state why it is that I now propose it. I wish to state this with a view not merely to defend myself—that may be a trifle; but I desire it for this purpose—however unworthy I may be to occupy the place which I hold, still as I have the honour of filling a highly responsible position in the Government, it is desirable that in whatever declarations I make, or whatever expectations I hold out, it should be believed that I am speaking with perfect sincerity. The best proof I can give of my sincerity is, that I act now on the same principles and on the same grounds that I laid down in the year 1842. The ground which I then stated of my opposition was, that the income-tax was too high a price to pay for the benefits which we were to receive from the change of taxation which was then proposed. But I said in 1842, in opposing the tax, that if an alteration were made in the duties on corn, on sugar, on timber, and on other great articles of consumption, I should be ready to vote for direct taxation, and even for the income-tax. Now, the duties on sugar, corn, and timber, have been so altered; the circumstances which I have said would justify the imposition of an income-tax, have occurred; and therefore, with perfect consistency with the principles which I advocated in 1842 and 1845, I now support the renewal of that tax. I have made this statement, not merely for the purpose of maintaining my own consistency, but because I have felt it to be most desirable that the views which I now entertain should be shown to be perfectly consistent with what I have always held and avowed. But I would now remind the House of what took place in 1845. At that time the right hon. Baronet proposed a renewal of the income-tax for three years, although there was a surplus of five millions. Then, therefore, the right hon. Baronet had it in his power to repeal the income-tax if he pleased; and he then stated that if he repealed it the probable deficiency would not be more than 200,000*l*. It was in the power of the House to have pressed for that repeal; but the right hon. Gentleman stated his opinion that it was desirable to continue the income-tax for the purpose of persisting in the same course for three years more—of repealing or reducing taxes which pressed upon articles of general consumption, or upon the raw materials of our own manufactures; and the House unanimously concurred in that opinion. There were suggestions thrown out to make it a property-tax, and to extend it to Ireland; but all these proposals were negatived by large majorities, and a very small number of Members indeed voted against its continuance for three years. Now, I would ask did any hon. Member then really and truly believe that it would last no more than the three years? I stated at that time that if the House consented to its imposition for three years, and also consented to alter the duties which it was then proposed to alter, and in the manner proposed, it would be impossible, at the end of three years, to take it off. I did so repeatedly, so much so as to call for an observation from the right hon. Gentleman the Member for the University of Oxford, that I was laying the ground for a future support of the income-tax. It is therefore true that the tax was only

proposed for three years: but, under the circumstances in which it was proposed, I will venture to say that no man could reasonably entertain the idea that it could be dispensed with in 1848. Well, such being the state of the case—such having been the course of financial legislation—such having been the almost unanimous acquiescence of the House in the renewal of this tax, I must say that I think it would have been an extraordinary course for us to have proposed the reversal of the financial legislation which for the last six years has been so unanimously sanctioned by the House and by the country. If we had done this, and proposed a renewal of the indirect taxes upon corn and wool, and have raised the duty on sugar and timber, it would at once have been said that we were running our heads against public opinion, and the express and repeated opinion of this House. We accordingly propose as our first measure to renew the income-tax for a limited time. Whether that time is to be five or three years is a question for the consideration of the Committee on the Bill. But, even with the renewal of the income-tax as it stands, we found there would be a considerable deficiency in the income; and the question then arose how that deficiency was to be made up? I believe I have stated before, that in our opinion the existence of that deficiency would be only for a time. It was obvious that the large payments on account of the Caffre war and the excess of naval expenditure would cease, being in fact for past expense. My hon. Friend (Mr. Ward) has stated, and I have repeated to-night, that the greater portion of the works in our dockyards will be finished in the course of the next two years; and that after that time there will be no need for any heavy expenditure on that head. The country will have the benefit of these works, while it will be unnecessary to continue the expenditure for them. I think, also, we may look, in a short time, to other items for a reduction—such, for instance, as that from the building of the Houses of Parliament. We were therefore, perfectly justified in considering the increased expenditure as merely of a temporary character. How then were we to provide for this temporary increase? It would hardly have been wise, in my opinion, to impose new taxes and to derange commerce and trade for a temporary purpose. We might have proposed a per centage on existing indirect taxation; but I do not think the experiment succeeded which was made in this way before. It was, in fact, a total failure. We might have imposed it upon the assessed taxes alone; but, looking at the assessed taxes for the last four or five years, I find there has been a falling off; and we could not therefore depend upon a certain increase of revenue from imposing an additional per centage upon the assessed taxes. There remained the proposal to increase the income-tax. By so doing the increase of the revenue was certain, and it would be attended with no increased expense in collection; the whole amount of the increase would be received in the Exchequer; and, however painful it was to impose or to pay that tax, Her Majesty's Government were of opinion that the easiest and cheapest mode of providing for a temporary deficiency, the most advantageous way of adding for a time to the income of the country was by adding for a short period a further per centage on the income-tax. We had at the same time to consider many questions which have been raised on former occasions on this subject, and one of which I understand the hon. Member for Marylebone intends to raise on this occasion, namely, the extension of the tax to Ireland. I am of opinion that, if the tax is to be considered as anything more than a provision for a temporary emergency, it is one which Ireland as well as Great Britain ought to pay. It was distinctly stated by the right hon. Gentleman opposite, that it ought to be so extended; and Mr. O'Connell, in 1843, said that Ireland could not continue exempt from that tax if it was made permanent in England. But whether Ireland can, under ordinary circumstances, continue exempt, and whether, under the existing circumstances of that country, with its prevalent distress, that tax ought to be imposed upon it, are widely different questions; and, strongly as I have stated my opinion, that, under ordinary circumstances, Ireland ought to pay the tax as well as England, it would be, in my opinion, equally unwise and inexpedient to impose that tax upon Ireland at the present moment. If the House will refer to a paper which I believe is on the table, which states the total amount of poor's-rates lately collected in Ireland, the enormous increase of payment on that score will be seen. I admit that the poor-law in Ireland is a just measure, and that it is unreasonable to ex-

pect the people of this country to bear taxation for the maintenance of the Irish people; but, at the same time, it is impossible to shut our eyes to the enormous increase of payment under that head. If at the present time we were to impose in addition an income-tax upon Ireland, I believe that we should discourage that on which the future prosperity of Ireland must depend, namely, those exertions on the part of the landlords to provide an extension of employment for the labouring classes which they are now very extensively making. In 1846, the whole amount of poor-rates collected in Ireland was 390,000*l.*; in 1847, it was 970,000*l.*; and if we refer to the last few months, we shall find that whereas in the last three months of 1846, the amount collected was 109,000*l.*, in the corresponding period of 1847, it was 441,000*l.*; and since that return it appears, that whereas the amount collected in January, 1847, was 52,000*l.*, in January, 1848, it was 190,000*l.* In fact, the poor-rates collected in the last four months are at the rate of nearly 2,000,000*l.* a year; and, looking at all the circumstances connected with that country, I do not think it would either be politic or wise to impose further taxation at the present moment. Neither do I think it would be worth while, even in a financial point of view, for although I admit the justice of the extension, still I think that those hon. Gentlemen who consider that the tax would yield a large revenue in Ireland, would be very much mistaken. I was very much astonished to find that not more than 400,000*l.* a year was received in Scotland. The Government has no reason to believe that the tax is not efficiently and duly collected in that country; and, reasoning from the circumstances of Ireland, I do not think that the extension of the tax to that country would be so productive as some hon. Gentlemen seem to suppose. What the Government proposed, therefore, was to renew the income-tax for a limited time, and to increase the rate for two years, our belief being that the extraordinary expenditure which requires to be provided for will cease within that time. I was asked to say, if I would promise to take off the additional mpost at the end of the period mentioned; but I said, and I will repeat my reply, that I think it is very unwise to make any promise of this kind. No one can foresee what the state of the country may be two years hence. Nay, can any one foresee what the state of the country will be for a much shorter period? How long is it since the House heard an hon. Gentleman, who has recently arrived from France, declare that there could be no object in bringing about a social revolution in that country? The wisest and the best may be misinformed; and I believe that not only the hon. Gentleman himself, but every hon. Gentleman in the House and in the country, have felt the utmost surprise and astonishment at what has occurred in France within the last ten days. To return, however, to the subject of the income-tax, I gave the House what was better than a promise. I gave it facts, and from those facts I thought might be inferred the probability that at the end of the two years the additional impost might be withdrawn. I stated that the income up to the 5th of April last exceeded the estimates of this year by nearly 700,000*l.* If, therefore, the income rose to the level of last year, there would be a surplus of 700,000*l.*, even without any reduction of expenditure; and under such circumstances no man could reasonably doubt that the additional tax would not be required after the end of the second year. I cannot say that the proposal which Ministers have submitted to the House has been well received. I must admit that from all quarters of the House, and from all parts of the country, the most unequivocal demonstration has been given that the proposal is disapproved of—that the proposed increase of two per cent is disapproved of. Even those Gentlemen who on former occasions supported the tax, under the impression that it was to be instrumental in substituting to some extent direct for indirect taxation, have been among the loudest in opposing the proposition which has been made. My hon. Friend the Member for Cockermouth (Mr. Horsman) has given notice of a Motion to secure a more equitable imposition of the tax; and my right hon. Friend the Member for Portsmouth has also spoken in favour of the same principle. Upon this point I beg to observe that both Mr. Pitt, who originally proposed the tax, and the right hon. Gentleman opposite (Sir R. Peel), who reimposed it, have always advocated its enactment in its present shape; and I think that when hon. Gentlemen come to examine the case closely, they will find that even if their views were carried out, still greater inequalities would exist than those of which they complain. It certainly, I think, would be considered hard that a widow with a

small annuity should have to pay a higher charge than is imposed upon a Baring or a Rothschild; yet that would be the effect if the propositions which have been made for fixing different rates on different descriptions of income were adopted. Hon. Gentlemen ought to remember that persons the most disinterested—persons capable in every way of forming an accurate judgment—persons who have taken up the subject in an impartial spirit, and perfectly without bias, have decided in favour of the present system of imposing the tax. A gentleman very competent to form an opinion, but who is no longer a Member of this House (Mr. Warburton), always advocated in this House the justice of the present system. The hon. Member for Manchester has given notice of a proposition for extending the probate and legacy duties to real property. I believe there is some injustice in the mode in which the legacy and probate duties are imposed; but there is much inequality also in the taxes which fall upon real property as well as in those which are supposed to press so heavily on personal property. If the question be gone into, many difficulties in the way of a perfect adjustment of the inequality would be found to exist; and that if much can be said in favour of the hon. Gentleman's proposition, much also can be said on the other side. The House is in the practice of passing annually an Act for the exemption of stock in trade from poor-rates; and hon. Gentlemen who own real property have a fair right to say that this gives an undue relief to persons in trade, who are legally liable to be rated. I do not mean on the present occasion to give an opinion on the one side or the other; I merely wish to show that the point at issue is not so simple or easy as some hon. Gentlemen seem to suppose; and that it is not by taking single or isolated cases, but by a full inquiry, that a just result is to be arrived at. I do not wish now to go into details. All I wish to do is, to impress upon hon. Gentlemen, that the questions which have been mooted require a more searching and careful investigation before they can be satisfactorily adjusted. Whatever the opinion may be, however, which the House or the country entertain upon the points referred to, there is a universal concurrence in disapproving of the proposed increase in the income-tax. I am still of opinion that that proposal is one which would be ultimately beneficial; but this I must say, on the part of the Government, that if there is any one subject upon which the representatives of the people have a right to determine the policy which is to be pursued, it is on the subject of taxation; and therefore, although I am sorry to abandon the increase of the tax, still I have now to intimate that the Government will not press those resolutions which imply an addition to the income-tax. I repeat, that I do so with regret, because I think that, under the present circumstances of the country, there is great safety in a full exchequer; and I am very sorry at the thought of having to fall back upon those balances which on a former occasion proved so useful as the means of affording immediate relief to Ireland: still I do not think it would be wise to attempt to force upon an unwilling House an addition to an unpopular tax. Such being the intention of the Government, I shall have to propose that the expense of the Caffre war and the excess in the Navy Estimates should be defrayed out of the balances in the Exchequer of the present year. This will reduce the amount to be charged on the income of next year by 1,345,000*l.*, leaving, supposing the income-tax to be continued, and the existing estimates agreed to, a deficiency to be made good of from one million and a half to two millions. No doubt the balances in the Exchequer are high—much higher than they have been for any year except the last—and they will have, perhaps, to be drawn upon for the whole amount of this deficiency in the course of the ensuing year; but it is one of the advantages of maintaining high balances in ordinary times, that by this means we may be enabled to bridge over a time of temporary pressure. We must then look not to making the income of this one year equal the expenditure, but to keeping our taxation at such a point as to keep the income one year with another equal to the expenditure. I need not say that this course renders impossible any such reductions of taxation as have been asked for. I trust that, under the circumstances, the House will at least enable me to keep up an ordinary average of revenue, so that, if not in one year, at least in three or four, the revenue and the expenditure may be equalised. I, therefore, hope, that after Ministers have made the concession to the popular will which they have done, the representatives of the people will not refuse to renew the existing tax for a period of three years. That, I hope and trust,

will be a sufficient time to bring round, with such reductions as may be effected in the expenditure in future years, an equalisation between the revenue and the expenditure, although during the present year I should draw upon the Exchequer balances for the sums I have specified. I have presented matters in their worst shape; but I wish to say, that I do not mean to pledge myself to-night irrevocably to this, as the course which Ministers will ultimately pursue. I must leave it perfectly open to the Government to come down, if they shall find it necessary, and propose such an amount of taxation as will equalise the revenue with the expenditure within the year. I hope that, after the announcement which I have made, the House will agree in the propriety of Ministers reserving for consideration whether they shall make at a future time any proposal on the subject of increased taxation. I will repeat my belief that the proposal originally made was calculated to be more beneficial to the true interests of the country than the one now announced; still on the other hand, I feel how hard it is, at such a period as the present, to increase the burdens on the people which are so much complained of in the present depressed state of our trade. It will be for Ministers to consider, whether by diminished expenditure, and by increased taxation, the income and expenditure can be equalised. The emergency is to be met by one or both of these courses; but that is a matter which Ministers will reserve for future consideration and decision. At the proper time I shall propose that the resolution renewing the existing tax for three years be taken into consideration. The right hon. Gentleman concluded by moving that the Order of the Day for going into a Committee of Ways and Means be now read.

Mr. HUME: The speech of the right hon. Gentleman was a mere restatement of what had previously been said by the noble Lord (Lord J. Russell), with the exception of the withdrawal of the additional two per cent, and limiting the duration of the tax to three years. If the right hon. Gentleman supposed that he had made a communication to the House which would in any way alter the opinion which had been formed upon the whole scheme by him and others, within the House and out of it, he would find himself very much mistaken. The right hon. Gentleman admitted the injustice and inequality of the income-tax; and how could he expect the House to renew an enactment confessedly unjust and unequal in its operation? The tax was originally agreed to under the assurance by its proposer that it would be temporary, and to enable him to make a financial experiment of immense importance to the best interests of the country. It was on that ground that he voted for the proposal; but he regretted now that the House did not refuse to renew the tax in 1845, when, according to the right hon. Gentleman's (Sir R. Peel's own statement, he had a surplus at his disposal equal to the amount of the tax. His opinion was, that if the House agreed to renew the tax at all, for one year even, there was little chance after the language of the right hon. Chancellor of the Exchequer, of any reduction in the expenditure being effected—of redemption of the tax when that period should have expired. His opinion in that respect was confirmed by the speech of the noble Lord (Lord J. Russell) the other night with respect to the appointment of the Committees; for the noble Lord placed them on a very different footing to what he expected. The noble Lord told the House that those Committees would not have to consider the propriety or necessity of the proposed votes for the Army, Navy, or Ordnance, as the responsibility of those votes would remain with the Government; but that they would have to consider what number of men should be kept. The Committees should have no power of effecting any reduction whatever; and more especially when they were told, that it was only 18,000,000*l.* out of the 58,000,000*l.* which could be touched. What became of the 4,600,000*l.* which the collection of the revenue cost? Was that not to be interfered with. There were many items charged upon the Consolidated Fund that deserved consideration, and which in his opinion ought to be entirely removed. The charges upon that fund ought to undergo a full revision; and when they were told that there was to be no reduction in the number of the troops, and when the noble Lord himself admitted that whilst in 1833, 1834, and 1835, the number of men in the Army, Navy, and Ordnance, was quite sufficient, and that we had now 195,000 men, and 6,000 men coming home from India and the Cape, exclusive of 10,000 pensioners, the dockyard battalions, the coast guards, yeomanry, and police, making in all nearly 250,000 men, to talk of renewing the income-tax for three years, or even for

one year, without expressing any decided determination to reduce the expenditure, was perfect folly. Did the right hon. Baronet institute any inquiry into the expenditure last year? Twice last year did he (Mr. Hume) suggest to the House the necessity of a strict inquiry into the votes before them. And now, if there was one thing more than another which he would counsel Her Majesty's Government to do, it would be to effect a reduction instanter. Allusion had been made to what had taken place elsewhere, and he thought that if the startling events which had occurred suggested one thing more than another, it was to make large reductions in our naval and military forces, to show the people of France that they had nothing to fear from England. If the Government should persevere in its original intention, and should the House sanction the proposal, it would give rise to an impression in the mind of our neighbours that our forces were kept up for the purpose of annoying and overawing them. Let the English Government show that they had confidence in the good intentions of the people of France, by making large reductions in the number of soldiers and sailors. If, on the contrary, they kept up these great establishments, they would create dissatisfaction from one end of England to the other. The petitions which had been laid on the table of the House showed the feeling which already existed; and he thought it would be bad counsel indeed on the part of the Government to persevere with their intention of increasing the war establishment after the declaration that had just been made on the part of France. If the Government wanted increased revenue, let them equalise the legacy duties, and put the commercial and agricultural interests on the same footing. Let the burdens of the State be borne fairly and equally, and let not the land be exempted from duties imposed on all other kinds of property. It was on these grounds that he did not believe the House of Commons would pass any such Bill as the right hon. Baronet suggested—even for one year. He should also remind the House, that if they allowed the Government to draw from the balance in the Exchequer for all extra expenses that they might think fit to impose—that balance, which was now eight and a half millions, would soon be reduced as low as was the case when these Gentlemen were in office before, when they found the balance in the Exchequer eight or nine millions, and left it only a million and a half. The balance in the Exchequer, instead of being reduced by 1,500,000*l.*, ought to be, if possible, increased, in order to meet the demands that might be made upon it. To do otherwise was to commence that downward course again which had before done so much mischief, by lessening the confidence of the public in the Executive Government of the country. He could tell the right hon. Baronet that Her Majesty's present advisers would lose the confidence of the country if they continued to go on in the course they were pursuing, in maintaining an enormously increased and unnecessary expenditure. After the declaration of the right hon. Baronet, that no alteration was intended to be made in the present system, he, for one, should give a direct negative to the proposition of the Government, in order to force Her Majesty's Ministers to bring forward a plan more suited to the circumstances of the country.

Mr. BERNAL OSBORNE wished to offer one word in reference to the statement of the right hon. Gentleman. As far as his experience and knowledge went of the feelings of a very considerable constituency, he did not think that they would be inclined to receive the statement made that night with the great gratification which the House evinced on hearing it. He believed that it was not so much the additional two per cent to the income-tax that the industrial classes of this country objected to, as to the principle of the income-tax which the right hon. Baronet now brought forward. The right hon. Baronet told the House and the country that he was satisfied in his own mind, and that he was borne out in his opinion by the late Chancellor of the Exchequer, that it was almost impossible to make an equitable arrangement with regard to such a tax. He would maintain that it was the duty of the Government at least to adjust the tax in such a way as it would be found to be least unjust. It was to prevent the tax from being iniquitous, odious, and unjust that the people were anxious; and he would say that it was miserable policy on the part of any Chancellor of the Exchequer to continue that principle after the House had been entrapped by the right hon. Baronet the Member for Tamworth to lay on an income-tax for three years, under the pretext that the burden of the tax would be counterbalanced by the expense taken off in the tariff. The right hon. Baronet proposed the tax under some-

what deceptive circumstances; and it now would remain for the country to decide whether they would submit to a continuance of the tax even for one year. For his part he was determined to take the same course as he had followed in 1845. The right hon. Gentleman said that in 1845 there was no opposition to the income-tax; but the ignorance of the right hon. Baronet on that subject was only equalled by that which he exhibited with regard to the Secret Committee. He had in that year the honour to move that the Bill imposing the tax be read a second time that day six months; and on that Motion he had had the pleasure of receiving considerable support from six Members of the present Government. The Under Secretary to the Colonies, Mr. Hawes, made one of his most able two-hours' speeches in favour of his (Mr. Osborne's) proposition; and he also found among its supporters the names of Mr. Charles Buller, of Viscount Ebrington, of Colonel Anson, and of the right hon. Richard Lalor Sheil, who made a most able speech, and who based his opposition to an income-tax even on the score of religion. The right hon. Baronet (Sir C. Wood) was bound to have told the House that opposition was made to the imposition of the tax in 1845. He hoped that the hon. Members, who then voted against an income-tax on the ground that it was injurious to the labouring classes, as well as to those who were immediately obliged to pay it, would now join him in resisting its reimposition, even for one year. But whether they did or not, he certainly should feel it to be his duty to divide the House against it; and in doing so, he trusted to be able to show them that it was to the principle of the tax that the country objected.

Mr. CARDWELL hoped the right hon. Baronet opposite would not think it necessary to call upon the House for an actual statement of opinion on this occasion. The right hon. Baronet would recollect that when the noble Lord the First Minister of the Crown made his statement ten days ago, the proposal of the Government was that the House and the country should have a reasonable period to consider it; and it was after the lapse of that reasonable period that they were assembled there this night. Now, the statement made by the right hon. Gentleman differed in so many important respects from the statement made by the noble Lord ten days ago, that it was as important the House should have additional time for consideration now as it was on the first occasion. He thought, considering the manner in which the public feeling had been expressed on this subject, and considering the unity of opinion that seemed to be entertained universally upon it, that it was only due to the country and to the House that sufficient time should be allowed for considering the right hon. Gentleman's statement; and he trusted therefore that the right hon. Gentleman would consider it to be no departure from his duty to allow that considerable time to elapse before calling upon the House for its opinion, which was thought to be necessary on the occasion of the first statement by the noble Lord.

The CHANCELLOR of the EXCHEQUER, in answer to the hon. Gentleman, the force of whose appeal he fully felt, was perfectly willing to postpone the further consideration of the subject for some days. He thought that there were circumstances which quite justified the hon. Gentleman in making the appeal; but he trusted the House would agree to an early period for further considering the proposition.

Mr. GLADSTONE rejoiced very much that the right hon. Baronet had acceded to the step suggested by his hon. Friend, and was willing to take no further discussion on the subject until Friday. There was, however, a difficulty still remaining with him, which perhaps was also shared by other hon. Members. He must confess that he did not clearly understand the whole of the right hon. Gentleman's proposal. They had before them now the budget for the year. He understood the right hon. Gentleman to say that the sum of 1,500,000*l.* odd was to be provided for out of the balance in the Exchequer. He understood him also to say that the vote of 1,100,000*l.* for the Caffre war, and the naval excess, amounting to 245,000*l.*, was also to be taken from the balance in the Exchequer. He also understood the right hon. Baronet to say that there would be a further deficiency of somewhere about a million and a half or two millions to be provided for; and he did not understand the right hon. Baronet clearly to explain to the House whether it would be necessary or not to meet that deficiency of a million and a half or two millions from the same source, the balance in the Exchequer, or whether it was intended to provide for it by additional taxation, or whether Her Majesty's Government had any fixed intention at all on the subject. He asked

these questions now, because he thought that they would be liable to the greatest possible difficulty and disadvantage in the consideration of so important a question as the renewal of the income-tax, unless they had before them the whole plan of the Government on the finances of the country, when they were called upon to give their vote.

The CHANCELLOR OF THE EXCHEQUER: The first question of the right hon. Gentleman refers, I think, to the 1,500,000*l.* expended on account of the Irish distress; and he asked if it is intended to defray that amount out of the balance in the Exchequer? If the right hon. Gentleman will refer to the balance-sheet, he will see that before the striking of the balance-sheet on the 5th of January, that sum of 1,500,000*l.* had been provided for. The next question is, whether the 1,345,000*l.* due on account of the Caffre war, and the excess in the Navy Estimates, is proposed to be paid out of the existing balance in the Exchequer? That balance amounted to 8,400,000*l.* on the 5th of January; and supposing the income for the current quarter to equal the expenditure, there will still remain on the 5th of April — after defraying the expenses of the Caffre war, and the balance for the Navy, as we propose to do, out of this source—a balance in the Exchequer of about 7,000,000*l.* The last question of the right hon. Gentleman referred to the anticipated deficiency in the ordinary expenditure of the year beginning the 5th of April, 1848, and ending on the 5th of April, 1849. I stated the probable amount of that deficiency to be between 1,500,000*l.* and 2,000,000*l.* sterling; and I said that it was possible to defray that sum out of the balance in the Exchequer, and that in that case no increase of taxation would be required; and that looking to the state of distress in the country, and the possibility of drawing that sum from the balance in the Exchequer, without diminishing it to any inconvenient extent, I thought it would be a possible course to be adopted; but I stated at the same time that that was a course I should be unwilling to adopt, as I still adhere to my opinion that it is most desirable to maintain a full balance in the Exchequer. And here I may perhaps be permitted to state what the balances have been in the Exchequer, on the 5th of April, for some years back. I am as unwilling as any man to reduce unduly the balance in the Exchequer; but in order to show the House that we are not likely to do so on the present occasion, I may be permitted to read to the House what the balance has been on the 5th of April in every year since 1839; and I think the House will see that if we adopt the course of diminishing the balances in the Exchequer in order to meet the expenditure necessary to defray the ordinary revenue of the country, and these two items that have been referred to, we shall not have reduced them to such an amount as to entail any probability of injury to the country; but at the same time I do not say that it is a course which I would recommend, or which I would be anxious on follow. The balances in the Exchequer on the 5th of April for each year since 1839, were as follows:—

1839	£497,000
1840	1,000,000
1841	864,000
1842	857,000
1843	957,000
1844	2,200,000
1845	6,200,000
1846	6,500,000
1847	5,400,000

On the 5th of January last the balance was 8,400,000*l.*; and if the income for the quarter equal the expenditure, the balances will be, on the 5th of April next, about 7,000,000*l.*; so that if the whole amount of the deficiency of expenditure for the year be deducted from the balance in the Exchequer, there were still remain, on the 5th of April, 1849, a balance in the Exchequer of 5,500,000*l.* I, however, beg to reserve to the Government the right to come down on a subsequent occasion, and propose any other course that they may think advisable.

Mr. WAKLEY said, the course taken by the right hon. Gentleman appeared to be a kind one, but he doubted whether it was a wise course. In his opinion, the best course for the right hon. Gentleman to have taken would have been, to ask leave to withdraw the resolutions altogether. The resolutions were founded on the noble Lord's budget. That budget was a bubble. It was burst—it was exploded—it was gone; and if there had been any substance in it, it was annihilated. What was the proposal of the noble Lord? First, the expenditure was to be maintained; secondly, there was to be an increase to it; thirdly, the income-tax was to be continued for five years; and fourthly, it was to amount to 5 per cent for two years out of the five. Now, what did they find? The right hon. Gentleman had been shuf-

fling over his money-bags, and in some odd corner or other he had found sufficient means, and that he did not require any increase of taxation at all. Assuredly, under these circumstances the budget might be said to be gone. Assuredly, it was not wise to consider further the resolutions that the noble Lord had laid on the table of the House. Some years ago he thought that he had made a discovery that the Whig party was made of a material that occasionally admitted of compression. Recent events showed that his discovery was correct. The screw had been applied, and the Government yielded, as he thought wisely, to the expression of the public voice; for if they had not yielded that night, they must have done so on a future day, for the English public were never more resolved than they were now not to admit of the new impost that was now proposed. He would ask the noble Lord, therefore, to consider the circumstances of the country, to reconsider the condition of the labouring population, and of the tax-paying classes. He would ask him to go over the whole subject again and again, and see if it were not possible to discover some means of reduction of expenditure that would give the public a real and substantial relief. He doubted now whether the proposition would be well received, to continue the property and income-tax for the next three years. The proposition was originally submitted to by the House with alacrity and cheerfulness, because it was believed that by a certain amount of direct taxation the industrious classes might be relieved of a certain portion of the taxes which pressed upon the necessaries of life. But then the income-tax was thought to be only a temporary expedient; it was not supposed at the time that it would be renewed every three years, and that at the end of the second period of renewal, a proposal would be made for further continuing it for five years. The noble Lord could not be aware of the feeling of the country on this subject. He could tell him that there was a feeling of growing discontent out of doors against what the people believed to be the bad legislation of that House; and that feeling, he would add, would be increased unless the Legislature altered their practices. The right hon. Gentleman told them that night, that it was the House that encouraged increased taxation on all occasions. That taunt they had heard the other night from the hon. Gentleman the Secretary to the Admiralty; and it was now repeated by the right hon. Gentleman, who said that the great difficulty which he had in former times was in combating the extravagances of the House. If the Government could not be sincere, it was time that the House should be sincere, and that such an amount of pressure should be given as would have the effect of materially reducing the taxation. The right hon. Gentleman appeared to have discovered that some reduction could be made in the expenditure; but was it not strange that a responsible Government should devolve the duty on an irresponsible Committee of that House of discovering whether a reduction could not be made in the public departments of the country? Such a course was, he thought, a very dangerous one. The Government would choose its own Committee, and then he supposed the Committee was to gag the House. In reply to every objection raised it would be said, "Oh, this is the recommendation of your own Committee, who fully and most patiently considered every branch of the subject upstairs." He, for one, would be fettered by no such conditions; and he besought the noble Lord to withdraw his resolutions altogether, and to postpone the question to a future day, so that the Government might, on their own responsibility, reconsider the whole subject, and then come down to the House with a budget to which they could adhere. This state of financial uncertainty—a budget proposed on one night and abandoned on another—was most injurious to commerce, and created great confusion and inconvenience out of doors. Before sitting down, he should allude to the reply of the noble Lord to a most timely question by his hon. Friend the Member for Montrose. He could assure the noble Lord that his declaration that it was not the intention of the Government to interfere in any way with what was going on in the sister country, would be hailed with universal joy in this country. He never heard any declaration in that House which produced a stronger or more ardent feeling of gratification in his mind; and he was convinced that it would be received with universal satisfaction throughout the kingdom.

Sir HARRY VERNEY also felt delighted at the intimation given by the noble Lord; but the question remained as to the extent to which this country was involved by the treaties to which she was a party. He denied that the Committee upstairs would do no good, as the hon. Gen-

tleman seemed to think; and in reference to one branch of the public service with which he was best acquainted, he thought that great savings might be effected by the union of different offices. He alluded to the military service. He could not but express his regret, on the part of the landed interest, that the Committee moved for some years ago by the hon. Member for Sheffield (Mr. Ward), for investigating local burdens, had been resisted by the hon. Member for Dorsetshire (Mr. Bankes), and those who professed to be the friends of the agricultural classes in that House. He thought that great injury was inflicted on the farmers at the time of the Reform Bill, when an arrangement could have been effected for securing long leases. He thought the agriculturists should also be relieved from the curse of having excessive quantities of game on their lands.

Mr. F. T. BARING said, he could not but think that the conduct of the Government would be looked on in a very different point of view by the country from what it had been regarded by the hon. Member for Finsbury (Mr. Wakley). He was sure the country would feel extremely grateful for the decision to which the Government had come. In his opinion Her Majesty's Government had exercised a wise discretion, and that the country had a right to have its opinion considered; and he certainly thought it did not come well from hon. Members who pretended to be great advocates of public opinion, to be the first to taunt the Government for yielding to it. Perhaps his right hon. Friend would allow him to ask a question with regard to his balances. He took the question of the Navy excess. He thought it was perfectly fair that that which was not in the expenditure of this year, but was the expenditure of former years when they had large surpluses, should be paid out of the balances accruing in those years. In that very year when the Navy excess took place, we added to the balances in the Exchequer two millions and a half; and he thought it seemed to be very unreasonable, after having placed 2,500,000*l.* in the Exchequer, that that balance should not pay the excess which had accrued that year, and that it was hard to impose a fresh tax for the purpose in a season of national distress. He did not think that it would be infringing a principle in paying it out of the balances in the Exchequer. His impression was, that they would vote, and they were quite right in making the vote, and taking the authority from Parliament; but he believed the money was already spent: it was gone out of the balances already. So that if they found the money for the Navy excess (250,000*l.*) this year, the only practical effect would be to replace the amount already withdrawn from the balances. But they did not diminish their balances one farthing from what they should be at present. In reality, that vote would not diminish the balances. He apprehended also that, with regard to the Caffre war, very much the same argument applied; that all the money was spent and gone, and that they could not diminish the balances by not voting. They would be repaid when they increased the balances; but by not agreeing to the vote for the Caffre war, they could not diminish those balances. As to what had been said by hon. Members in ridiculing the appointment of a Committee as a means of bringing down the expenditure, he could not agree in any such course. The expenditure of the country had very largely increased of late years, and he did not think that any system of revenue could well go on that was continually increasing. He would impress upon his hon. Friend that it was the Government alone which could make reductions. Committees might investigate, but the Government alone were the best judges of the safety and propriety of reduction; for which reason, he would earnestly impress upon his right hon. Friend, before the termination of the Session, to see in what way the public expenditure could be reduced. Under present circumstances, he did not wish the effective establishments of the country to be reduced; but there were a great many points to which the principle of economy might be applied. There was no inclination on the part of the Government to do a thing merely for the sake of jobbing; but there were many matters in which, by means of better arrangements, great savings might be effected, and which probably the Government would be glad to make if we were well off; but in these times of difficulty it would be well that they should neither be postponed nor abandoned. The estimates of this year exceeded those of the last year, upon the whole, by one million. That amount, at least, might be saved. His right hon. Friend had stated he could not abandon the power, if he thought necessary before the end of the Session, of applying for increased taxation. It was somewhat unpopular, he knew, to make that

declaration; but he assured his right hon. Friend, that if, although he had done his best to reduce the expenditure and to bring our finances into a better condition, he should find himself a million and a half behind the point necessary for the security of the financial state of the country, and he should therefore appeal for additional taxation, he (Mr. Baring), for one, would not shrink from giving him his support. He would not be a party to placing the finances in a state of deficit. With regard to the income-tax, he believed it was impossible so to tax income as to make the burden fair and equal; but that was a very different thing from an attempt to make the revenue equal to the expenditure. He was certainly an advocate for making the income-tax as fair as possible; but if it should happen that they were defeated in the attempt to make it more fair, rather than leave a deficient revenue of five millions, he should be prepared to vote for its continuance for a further time.

The CHANCELLOR OF THE EXCHEQUER explained that the sums to which the right hon. Gentleman referred were not in the shape of balances. The advances for the Caffre war had been made partly by grants from the Treasury, and partly by grants from the commissariat chest, and the balance of 8,400,000*l.* would be diminished by that and the other items to which he had referred.

MR. COBDEN: Although I am very glad Her Majesty's Ministers have withdrawn the proposal for an increase to the income-tax, still I am bound in my duty to a large constituency, with whom I have had a very active correspondence lately, to say I do not think it will be possible for the Government to maintain an income-tax of 3 per cent, or any other per centage or rate of tax upon precarious income. I believe the present proposition has rendered that utterly impossible for the future. The proposition of Her Majesty's Government has had the effect of raising this question throughout the country, and of causing it to be discussed in a way that it has never been before. It has turned the public mind essentially upon the subject of taxation, with the view of devising means of adopting a more equitable system; and I believe the agitation will end not only in an income-tax being altered in its rate of taxation, but in a complete change in our fiscal system. I hear from my hon. Friend the Member for South Lancashire (Mr. W. Brown), who has shown me the prospectus of it, of a new association they are forming at Liverpool for the purpose of enforcing a more equitable system of taxation; and I believe nothing would be more profitable or more legitimate than such an association with such a purpose. But, Sir, I do not see that we are fairly out of our difficulties as yet. It does not appear to me that the right hon. Gentleman the Chancellor of the Exchequer has come prepared with an alternative or a substitute for this tax. He proposes, in his difficulty, to take money from our reserved fund; and if the difficulty were merely temporary, he might do so probably without any very serious inconvenience; but I think I gathered from his statement that we are in a condition of progressive and increasing difficulty. I think he has told us, that already this quarter there is a deficiency of 400,000*l.*, although two months of it have not passed away yet, as compared with the corresponding quarter of last year. I apprehend, then, Sir, that it is a growing deficiency with which we have to deal; and this brings me to the point upon which I have dwelt before, namely, that you will have to reduce your expenditure, by some means or other, so as to meet your income. I differ from the right hon. Gentleman who spoke last, who tells us we must confine our retrenchments to the non-effective services. The right hon. Gentleman the Chancellor of the Exchequer tells us the non-effective services are only three millions and a half, while the effective services are eighteen millions and a half. If, therefore, retrenchment is confined to the non-effective services of three millions and a half, it will not be in a branch where it would be possible that a material reduction could be made. [MR. BARING: What he had said was, that he would not be a party to reducing the efficiency of the service.] I still maintain that you must reduce your establishments. I do not confine myself to the civil establishments; and I will here allude to some remarks, which appear to me very ominous, that have fallen from several Gentlemen upon the subject of what has just happened in a neighbouring country. In replying to the noble Lord the other day, who adduced the example of Mr. Pitt when proposing the armament of 1793, as a justification for the course he was pursuing, I said—

"True, France passed through a social revolution in 1793; she cannot repeat that social revolution; she has no privileged classes, no Established Church; and the great masses of landed

property which were then exempted from taxation are now subdivided and equitably taxed, and therefore she cannot pass through such a revolution as that."

I candidly confess, when I spoke then of a social revolution, I was not prepared for the political revolution which has now happened in France, because I was not prepared for the insanity of a Ministry and the madness of a Monarch whom we had usually supposed to possess great sagacity and great prudence. There is no doubt that if France had been England, and a Minister and Monarch had first corrupted our Parliament, and then denied to Englishmen the right to assemble at a public dinner, we should have had a revolution too—and a political revolution. But, taking France as we now find it, I do not go with those hon. Gentlemen in this House who have several times stated that we must make this a ground for being cautious how we reduce our establishments, or allow the Exchequer to be impoverished. In ordinary life—for I like to bring the affairs of State down to the common-sense maxims of life, because we shall never prosper in politics until we apply those maxims to them—I see if my neighbour is quarrelling with his household, he is not in a position to come and quarrel with me. In the same way, if you were in a ship of war at sea, and you met an enemy's ship, the crew of which were in open mutiny, you would not be greatly alarmed that they would attack you. If it be the policy of the governing classes in this country to avoid collision with France, it is perfectly easy for England to avoid that collision; for I venture to say England is the last country in the world that France would think of attacking, inasmuch as we are inaccessible. But I say it with great regret, that I do believe, unless the people of this country take this question in hand, there is danger of our being involved in war with France. I believe, if it be left to the Foreign Minister, and to the clubs and coteries of London, from the spirit I have seen to-night of urging the state of France as an excuse for armaments and expense, that we shall be led step by step, first to alienation, then to dispute, and lastly to collision, and we may be involved in war, the fruits of which may be similar to that which we have deeply deplored in increased taxation. I take this opportunity of calling upon this country to beware of what is impending, if they do not take the matter into their own hands. We are not going to war with France to maintain despotic power at our own cost. If France comes to molest England, I am afraid I am not arrived at that point as to say that I am a Quaker and would not resist; but I say, unless France molests us—and I am speaking the predominant opinion of the people of this country—we will leave France alone. I shall venture to suggest to the Government that, as until Friday is not long enough to take the opinion of the country upon the question of the income-tax—and as my hon. Friend the Member for Manchester (Mr. Bright) has a notice of Motion with regard to the equalisation of the probate and legacy duties, and the hon. Member for Cockermouth has another, to make a distinction between variable and fixed incomes—I venture to ask the right hon. Gentleman for at least a week, to have the opinion of the country upon the proposition.

Lord J. RUSSELL: The hon. Gentleman opposite (Mr. Cardwell) asked that this debate should be adjourned, and that we should not proceed with it this evening. My right hon. Friend immediately acceded to that proposition; but I must say it would be only fair of the House to do one of two things—either to adjourn the consideration of the proposition, and not debate it, or to debate it, and allow the Government to come to some conclusion. I do not think it is quite fair to spend the whole evening in attacking the measure of the Government, and then say, "We do not mean to have it debated, but that it should be adjourned." I hope that hon. Gentlemen who oppose our proposition will agree with what I have said. I can hardly say a word more, having said what I thought was quite sufficient in the early part of the evening in answer to my hon. Friend the Member for Montrose (Mr. Hume). With regard to what has been said by the hon. Gentleman the Member for the West Riding of Yorkshire. The hon. Gentleman, after what I declared upon the part of the Government, admitting, as he must admit, that his prophecy was not a very successful one, is yet trying to excite suspicion by inducing those in this House, and perhaps those out of doors, to think that I was not sincere in the declaration that I made, and that when I declared that we did not mean to interfere with any disposal of their own institutions which France might choose to make, I still meant that we were to be induced by some coteries and clubs to go to war with France because she adopted some

particular form of government. Now I can only reiterate what I said before, that it is not the intention of the Government to interfere in any way whatever to settle the differences of France, or in the changes that France may choose to make with regard to her own government. Our only interest in that matter can be the interest of neighbours and friends. We only wish that the institutions which France may adopt may tend as much as possible to her own prosperity. I may be permitted to add, that of course I have never dreamt that England would refuse to perform any of those sacred duties of hospitality which at all times have been extended to the vanquished, whether they have held extreme monarchical or extreme liberal opinions—duties of hospitality which have made this country the asylum of the unfortunate, and the renown of which, I, for one, will never consent she should forego.

MR. DISRAELI: I should be the last person in this House who would wish for one moment to interfere with the rule laid down for this debate by the noble Lord, namely, that we should keep any observations that we have to make upon the measures of Government until they are fairly before the House. I think, under all the circumstances, a guerilla war, although it may give opportunities for display of the agility or courage of individuals, has, after all, but little effect upon the fortunes and fate of the campaign. Certainly upon the present occasion, when the fate of the budget, and what is much more important, of the great principles upon which the commercial and financial system of this country are the cause—and that is the real question—when they are the cause, I can conceive nothing more inconvenient than that upon an occasion like the present one, when the Government have postponed the vindication of their main measure, we should enter into any petty criticism, or that desultory attack which may be annoying and even injurious in a certain sense to Ministers for a moment, but which, after all, I feel, can bring no permanent credit to an Opposition. Therefore, Sir, it is not for that reason that I venture to rise for one moment; but at the same time it is the duty of every Gentleman who sits on this side of the House not to pass over without any observation the remarkable incidents of this evening. Sir, we live in an age of revolution. I read to-day of an eminent individual in another country who upon the same morning had contrived to give in his adhesion to a monarchy, to swear his allegiance to a regency, and who, it was supposed, would ultimately support a republic. Why, Sir, our neighbours bring forward this individual instance to our notice; and for their honour let it not be said that we are unmindful of the blessing and distinction of possessing a Ministry who in the same week have proposed one budget, brought forward a second, and intimated that in a very short time they will probably feel it their duty to propose a third. That is a very peculiar position, and so far as I know it is quite unprecedented. [Lord J. RUSSELL: This is a guerilla movement.] The noble Lord pays me the compliment of saying this is a guerilla movement. It is my intention—I am aware it will be under very great disadvantages, and with, probably, very slight support—to meet him in open fight. It is my opinion that when the third budget is brought forward, or when the second budget is really and gravely submitted to our consideration, it will turn out to be founded on false and fallacious principles; and if we do support it we are only supporting a system of policy that has already accomplished great evil for this country. It is seven years nearly since the new principles upon which our commerce and finance are now established were brought before our notice. Seven years is no mean period even in the history of a nation. Seven years established the great Prussian monarchy; and a Minister of seven years has recently destroyed a powerful dynasty. I say it is an apprenticeship in commercial and financial experience which a practical people, like the people of England, will not pass unregarded; and any Ministry who, from an unfortunate combination of circumstances, and not, as I believe, from their innate convictions—because we have a budget upon record at the commencement of this seven years, founded upon principles very different and much more rational—I say that if a Ministry choose to disregard the severe experience of such a practical apprenticeship, they must take the consequences—consequences which are totally independent of the vote or opinions of this House, but which will be registered in the severe experience of a suffering people. Well, Sir, here then we are. Seven years ago we met a deficit of two millions and a half; and in the seven years which have elapsed, we have raised an extraordinary revenue which has also vanished, and we still meet a de-

ficit of the same amount. I do not want to enter into a discussion of the principles of the measures, because the noble Lord has deprecated discussion; and had it not been for an observation of the noble Lord over the table I should not have noticed the question, but have confined myself to the mere remarks I wished to make. One of the remarks I wished to make was this: The right hon. Gentleman the Chancellor of the Exchequer certainly took up one of the most remarkable positions I have ever observed. We have all heard of such an appearance as a parhelion or false sun. After the great luminary has vanished, the false sun appears in another quarter of the heavens, and it is doubtful for some time which is the correct depository of time and heat. So it is with the two budgets. Which is the false and which is the true sun is still doubtful. We were told—unfortunately this is a point of detail, but of some importance—in referring to the Miscellaneous Estimates, that the sum of 600,000*l.* which appears in the Miscellaneous Estimates, was in fact occasioned by the expense of packets for the public service. [The Chancellor of the Exchequer: In the Navy Estimates.] The right hon. Gentlemen will pardon me. The right hon. Gentleman is an accomplished Minister, and he may be right; but I quite forgot that, to-night, besides giving us a second budget, he has moved the Navy Estimates a second time. There is, however, 600,000*l.* expended for the packet service, which is said to be expended for the Post Office. Is it not so? [The Chancellor of the Exchequer: No!] All I should like to know is this: it has been stated there has been an expenditure upon the Post Office and packet service, and we ought to have that information. I want to know what is the clear revenue of the Post Office establishment at this moment. Is it 900,000*l.* that Her Majesty's Government have assumed? I will, however, let that subject pass; for I have not the advantage of the documents which the right hon. Gentleman has. I have no doubt he refers to some which are upon the table; but I will ask what is the whole point upon this question in the speech of the Chancellor of the Exchequer? He acknowledges that there is a great and an indefensible expenditure. He acknowledges that not only by his speeches but by his acts—because nothing can justify a Minister who brings forward his estimates, and proposes to refer them to a Committee, but a conviction that there are reductions to be made which in fact he has not felt it to be his duty in the first instance to introduce. His whole speech, however, was an accusation of the House of Commons. He was holding up the House of Commons to public odium. All that he says is—this is an expensive Government—who is responsible? Not Her Majesty's Ministers, but the House of Commons. Who is responsible for that lavish expenditure? The right hon. Gentleman has throughout his speech endeavoured to cast odium upon the House of Commons, and throw the entire responsibility upon us. I do not stop to inquire whether there has been an unjustifiable expenditure or not; but I say no Minister is justified in rising in his place and saying it is the fault of the House of Commons. Why did you propose these votes to the House of Commons if you did not think they were just votes? Either they were just or they were unjust. If they were unjust, you ought not to have proposed them: if they were just, you ought yourselves to vindicate them, and not propose that they shall be referred to Select Committees. It is your part, Mr. Speaker, to vindicate the House of Commons against the attacks of the Ministers. If any one holds up the House of Commons to odium, as in these attacks, we must fly for refuge to you to vindicate the honour and integrity of this House. The hon. Gentleman the Member for the West Riding feels that it is necessary to vindicate himself from some misrepresentation which has arisen from the speech that he made the other night, and elsewhere upon another occasion. It is a most curious circumstance that before the hon. Gentleman made those allusions to the extraordinary circumstances to which we never venture for a moment to allude, that the country, unable any longer to endure the sufferings which the present state of taxation brings with it, was about to give itself to those subjects, and we are to have a new league—that is, in short, the result of the declaration of the hon. Gentleman—that we are going into a campaign to obtain justice, by reforming our fiscal system. That, Sir, is a very alarming announcement, when we know what confederations, arranged and headed by the hon. Gentleman, have already accomplished, and that he changed the opinions of Ministers, and the votes of Parliament. It is well for us to understand what is the mischief in the shell with which we are

now menaced. This is the only satisfaction, or rather the only source of consolation—that I must believe that when the people of England are appealed to again by the hon. Member for the West Riding—when they are called on to organise and agitate for a reform of their fiscal system—they will at least pause for one moment and consider what have been the effects of their previous following of the counsel and advice of the hon. Gentleman. If his reform of our fiscal system is to lead to no greater benefits to the people of England than the reform under his auspices—under his superior auspices—of the commercial system, I am in hopes that the people of England will not lend themselves to a fruitless, a barren, and an unprofitable agitation. If, remembering all the promises which were made by the hon. Gentleman and his school—(I mention him as their leader, and their working leader)—all those promises and all those prospects of fruition that were held out to them, they demean themselves at this crisis with good sense and caution, they will only justify the traditional character of the people of England in these respects of caution and good sense. They must remember at this moment, when the Minister has to come forward as the Minister has come forward to-night, to play a part so fatal, as I must believe to men of such station, great ability, and proved services, as the Gentlemen who sit upon the Treasury benches—when they are obliged to come forward and play the part that they have done to night, I say, Sir, it will be a point that must occur to the people of England, when the honour and existence of the Government at so critical a period is at stake upon the means of raising two or three miserable millions—[" Oh, oh!"]—miserable millions, I say, they must remember the evidence that was given before the Import Duties Committee. Allow me to tell that Gentleman who favoured me with his derisive criticism, that they must remember the evidence given before the Imports Committee, which was the foundation of our modern legislation, which won from the most able man this country has ever produced, and from one of the most able statesmen England has yet produced, the acknowledgment from that red box that it was the basis of his legislation. Let the people of England turn to the evidence forming nearly one-third of that blue book—the evidence that consists entirely of the inspired revelations of the hon. Member for Glasgow (Mr. Macgregor) that evidence which informed the people of England that the repeal of the corn and provision laws would give them every year a far greater sum than 100 millions. Why, I reiterate, this great truth is not merely that in this rapid age you must take every opportunity of enforcing strong conviction in the public mind, but because several Gentlemen, and some of those who sit opposite, have addressed me in private, and remonstrated with me upon what they considered a monstrous exaggeration. For instance, the hon. Member for Glasgow the other night in the lobby made an appeal to me. He also considered that I had misrepresented him; and, although trusting to memory, which, though more treacherous than it was in my youth, seldom deceives me, I did give the information which was necessary to the hon. Gentleman; I told him I should give him the information in public, if in private my assurance would not satisfy him. Sir, I have proved my sincerity. I have the evidence of the Import Duties Committee under my arm, and I tell the hon. Gentleman that at page 68 he will read these words—"The people of England, by the repeal of the corn and provision laws, will gain a much greater sum—a far larger [after using the words 'much greater,' he adds 'far larger'] sum than 100,000,000*l.* per annum." What is the miserable deficit of two millions and a half to a nation, which, by a stroke of the pen, by a resolution of the House in Committee on Ways and Means, can gain so much? What are all the mines of Mexico and Potosi—what are all the galleons that Anson ever captured in value compared with this admirable piece of legislation which was founded by the Member for Glasgow? The hon. Member ought not again to vote for such a miserable impost as the income-tax. A man who by his counsels can enrich the treasury of the country to such an excess, ought to work out the whole deficiency. He ought to have the library to himself. It is degradation and commonplace to a man like the hon. Member to quote others along with him; and I do not quote them because they only proved that we should obtain from the repeal of the corn and provision laws one million and a half. That I do not take into consideration. I fix upon the hon. Member individually because his estimate was the highest—because it was founded upon the best evidence—because

he was the favourite counsellor of the most powerful individual in the country—because a grateful country, and the capital of a great county, proved their confidence in his estimate by sending him into this House—and because, Sir, the budget of Her Majesty's Government, twice in the same week, is the real thing for which these monstrous representations which he urged are continued. I will not, Sir, stand up for a moment between you and those distinguished orators who wish to address you. All that I want is to notice a single observation of the hon. Member for the West Riding. He has to-night announced to the country he is prepared again to raise the standard of agitation. All I wish to do is to say that we shall not fall without a struggle; and we shall not be betrayed, for we shall know the enemy we have to meet, and the cause we have to encounter. The hon. Gentleman tells us he has no doubt there will be an association for fiscal reform—an association which he anticipates will achieve the same results as his confederation for commercial change. Let me tell the hon. Member for the West Riding, that it is not merely his prophecy of commercial amelioration that is now to guide the people of England, but it is also his prediction of political perfectibility. They have to test him as a judge. They have to test, not merely his opinions as to the policy which would fill the Treasury, but also as to the policy which would secure the happiness and independence of this country. The hon. Gentleman stands before us with all his talents as the supporter of a bankrupt exchequer, and as having, only within these few days, appealed to a revolutionary nation as the model of political perfection. That, Sir, is the guide of the people of England on the new movement in favour of fiscal reform. Why, Sir, the noble Lord who sits with his arms folded on the Treasury bench (Lord J. Russell)—I mention this merely in a guerilla sense—the noble Lord—who, I will do him the justice to say, especially when he does not make a set speech, makes admissions which entitle him to the respect of every Gentleman in this House—did at the commencement of this Session, in November, say, that no doubt free trade was a great exaggeration. The only good thing that free trade ever did was to place the noble Lord upon that bench; and the best return the noble Lord could make to those who voted for him was, what like a brave Gentleman he did make, to admit that free trade was a great exageration. Sir, there is no doubt that free trade is a great exaggeration. It is a great exaggeration that it brings a perpetual peace and universal philanthropy. If it were only a great exaggeration, we might laugh at it; but undoubtedly those representations enter into practical life. They change tariffs, they bankrupt merchants. They make First Lords of the Treasury preside over empty exchequers, and they make Chancellors of the Exchequer, after making one statement one night, come a few nights after and make another diametrically opposed to it, and call upon the House of Commons to sanction a course totally different and distinct, These pitiable, these humiliating circumstances require all the natural courage of the noble Lord to sustain him in his difficulties. But, Sir, throughout this evening what I most deplore is, that a Minister of the Crown should by a sort of inuendo have intimated to the House of Commons that there were external circumstances which required us to prepare ourselves for war. Sir, I can imagine nothing more indiscreet, more impolitic, and I believe nothing more unjust. I have no hesitation in saying that I deeply deplore everything that has passed in France. I think that the general course of peace and progress, whatever may have been the circumstances of domestic discontent, has been, if not broken, certainly disturbed by all that has occurred. I have no hesitation in saying that I lament that the late Ruler of France has fallen. Whatever his errors to his people may have been, he was a great prince, a great gentleman—[*a laugh*]—a great man. There may be those who are ready to laugh over fallen royalty. I, for one, would shrink from such a course; and least of all does it become us to do so; for whatever were his errors, to England and to Englishmen at least he always extended an appreciating sympathy; and I cannot forget that for eighteen years he did secure, he did maintain for Europe the blessings of peace. These are my individual feelings; but I hope there will be no mistake between the French people and the House of Commons upon this occasion. If there have been mistakes before, I hope there will be none now. I hope they will understand that the people of England are resolved to interfere in no degree or manner whatever with the domestic and municipal affairs of the French nation. I believe there is no

statement more unjust than that so popularly and so vulgarly credited, that Mr. Pitt ever did from the first sanction any interference of that kind. Quite the reverse. So I think at this moment that if the people of France observe treaties, the nations of Europe will observe their independence. That I believe to be the general feeling throughout the country—the general and universal sentiment, represented, I am sure, by Gentlemen of all sections in this House; and, therefore, I the more deplore that any Minister of the Crown should for a moment have assumed that such a contingency as war might happen. Upon such an observation we should all arise, and at once oppose our distinct expression of opinion, that we have no right to suppose that war will ensue with France. I do not want to enter into the question of the income-tax now; a great occasion will soon arise for that; but I do say that what has occurred in France, instead of being an argument in favour of the income-tax, is an argument against it. The very fact that it is acknowledged to be a war-tax is the very reason why it should be now most delicately dealt with by the House of Commons. I have ventured, after the expressions of the hon. Member for the West Riding, to make these observations. I do not think that the remarkable and unprecedented course of Ministers in favouring us to-night with a second budget should have been allowed to pass unnoticed; and still less do I think that the declaration by a Member of the Government that a warlike contingency may arise, ought for a moment to be sanctioned by this House.

Mr. MACGREGOR thought the statement of the Chancellor of the Exchequer had been received very ungraciously by the House; but he was confident that the country would receive it in a far different spirit. He should make no reply to the hon. Member for Buckinghamshire, further than to say that he must be labouring under a mistake with regard to his evidence before the Import Committee in 1840, and that there was no part of that evidence which he wished to blot out. He denied that he was in any way the counsellor of the Government or of any Cabinet Minister with regard to the new tariff. He simply worked as an humble journeyman doing his duty, as he was bound to do; and he declared unhesitatingly that the full merit of that measure was due to the right hon. Gentleman the Member for Tamworth. Instead of the consequence of that measure having been to diminish the revenue, he believed that, with the single exception of the article of timber, the changes in the tariff had effected every object which its most ardent admirers had anticipated from it.

Mr. BRIGHT felt bound to offer his acknowledgments to the Government for the change which they had announced in their financial policy. He thought it a very wholesome thing that the Government should not set itself in opposition to so strong an expression of public opinion as had been evinced upon this subject since Friday week. There was one matter, however, to which the Government had not yet attended—the Government had not announced that discriminating principle with regard to the income-tax which the country expected; but he trusted that on Friday next they would be prepared to make some such change in the principle of the tax as the country required. He believed that there was the greatest possible disposition on the part of the people of this country to submit to the system of direct taxation; but it was not enough that taxation should be direct—it must be equal and just, which had not hitherto been the case with the income-tax. The hon. Member for Bucks had amused himself and the House with a speech of some length. He said "amused," because it must be amusing to see the Member for a county of such classic fame as that which the hon. Gentleman represented, boldly and firmly reiterate sophisms with regard to taxation which any weaver in Lancashire or Yorkshire would be ashamed to utter. What was it that the hon. Gentleman now wanted? The hon. Gentleman's party might some time ago have occupied the Treasury benches if they had pleased; but though he was cheered by his Protectionist friends in his attacks upon the free-trade policy, he should like to know what would the hon. Gentleman himself have done during the last two years? Would he have suspended the corn law or not? Would he have imposed it again? Would his policy have been one of everlasting restriction, or was it to be relaxed at intervals? The noble Lord the Member for Lynn stated at the time that we had not suspended the corn laws soon enough; that he would have suspended them sooner; and he blamed the Government for not sending to foreign countries to purchase large stores of grain. Why, he could tell the hon.

Gentleman that the effect of the change in the corn laws had been to admit 16,000,000 quarters of grain into the kingdom in sixteen months. Would the hon. Member have kept that amount of grain out of the country? If he had, the effect must have been most disastrous to many of his countrymen. By the change in the corn laws, however, all that grain had been imported, and the country which supplied us with the largest portion of it—the United States of America—had purchased two or three times their usual amount of our manufactures. The hon. Gentleman charged the free-trade policy with the misfortunes of the last eighteen months or two years; but neither the right hon. Baronet the Member for Tamworth nor the Anti-Corn-Law League ever assumed to themselves to regulate the seasons. They knew that there were periods when the seasons failed, and when famine approached. Famine had arrived, and it had set the seal to everything the free-traders had said in confirmation of their policy. And that the hon. Gentleman should dare now to defend the corn law, or to attack the right hon. Baronet, was, he must declare, a monstrous piece of assurance. The hon. Gentleman seemed to insinuate that a reaction was going on in the country, and that the people were anxious to revert to their old policy. If the hon. Gentleman truly thought so, he was most miserably deceived. Why, he really did not believe that even the Buckinghamshire farmers were anxious to return to it, much less would the operatives of Yorkshire and Lancashire listen to it; and he could assure the House that if they talked of reimposing the tax upon corn, an opposition would arise of such a nature that all that had been said about the income-tax and the national defences would be perfectly insignificant compared with it. He had proposed to move that evening on going into Committee, and his Motion stood upon the Paper, that the duties now levied upon personal property under the name of probate and legacy duty should be extended to real property. It was not now, however, of course his intention to proceed with that Motion that evening. He should propose that it should be postponed until the Committee upon Ways and Means should be taken; and he hoped that before that time the Chancellor of the Exchequer would go through the question, and would be able to state to the House his opinion with regard to it. Instead of postponing the budget until Friday, he thought it would be much better to have postponed it for a month, to have gone through the whole question of taxation, and to have made an entire revision of the stamp duties and the probate and legacy duty; for he did declare that, after the repeal of the corn laws, there was not an inequality and injustice in the whole system of taxation so ingeniously cruel as existed in the stamp duties and in the descent of personal property. The people of this country paid taxes willingly; but the time was coming when the Government must abandon the unjust, unequal, and partial taxation to which for a long series of years they had been allied. Let the taxes be revised, let them be equally imposed, and there would be neither resistance nor complaints from a willing people.

MR. BANKES would feel obliged to the hon. Gentleman the Member for Manchester if, when he ventured to repeat the prophecies of Gentlemen opposite, he would have the goodness to repeat them correctly. He begged to remind the hon. Gentleman that the prophecies to which he alluded were to this effect, "that the first to complain of these changes would be the operatives and the manufacturers themselves." Had that prophecy been falsified? The hon. Gentleman the Member for Manchester had stated that the Member for Buckinghamshire had made use of arguments and observations which no weaver in Lancashire or Yorkshire would assent to; but he begged to ask, whether the weavers out of work were those of whom he spoke? The hon. Gentleman taunted the agricultural interest with their prosperity; but if he looked at the opposition which Ministers were threatened with out of doors, it was not quite so clear that the prosperity which was attributed to the agricultural classes could be entirely acknowledged by them. The present opposition to the Government proposition was not confined to the towns and cities, for throughout every county in the United Kingdom the same feelings prevailed, and the same language was held to the effect that they could not pay the tax. He was therefore afraid that the prophecy made by the agricultural interests that they would suffer, but not the first, would be fulfilled. The hon. Gentleman the Member for Manchester had alluded to the anticipations of gold being taken out of the country as not realised; but he must take leave to remind him of the great distress

which prevailed in consequence of a scarcity of gold in the first year of free trade. Did he not know that a day had arrived when it was doubtful whether the Bank of England could, on the morrow, meet its engagements? Did he not know of the urgent remonstrances made to the Chancellor of the Exchequer to resort to those measures which, though they involved a departure from the law, were the only ones which could stay the mischief? The hon. Gentleman the Member for Glasgow had insinuated that the hon. Member for Buckinghamshire had quoted incorrectly the substance of his evidence before the Import Duties Committee; but he held a copy of the evidence in his hand, and it appeared that the hon. Gentleman did say that the working classes would be benefited to the extent of 100,000,000*l.* by the changes proposed. The Chancellor of the Exchequer had announced that they were to have an income-tax for three years more; but, he added, that if it did not succeed, he reserved to himself the right of coming down and demanding fresh taxes. If he reserved to himself that right, Parliament might exercise another, and refuse to vote the estimates until they knew what the future taxes might be. It would be sheer waste of time, if, after hearing two budgets unfolded, they were to proceed to their consideration without knowing the nature of what remained behind. Believing that Parliament had a right to be made acquainted with the nature of the taxes which might be submitted to them should the income-tax not answer its object, he would, on Friday next, claim the right of asking from the Chancellor of the Exchequer what it was he meant when he said he would reserve to himself the right of coming down to the House and submitting other propositions of taxation. The noble Lord who had opened the budget claimed the credit of having opened it in a fair and frank manner. He had done so fairly and frankly, because he had stated the sources from which he expected to raise his revenue. That was certainly a fair proposal; but all the fairness vanished when they were told by the Chancellor of the Exchequer that he would reserve to himself the right of applying to Parliament for increased taxation, but the nature of which taxation he declined to unfold. Under these circumstances he hoped the Government would not shrink from stating definitely what course they might adopt with respect to future taxation.

Mr. F. O'CONNOR did not know what influence had operated on the Chancellor of the Exchequer; but he was happy to hear from hon. Gentlemen on the Ministerial side that it was public opinion. Yet, in reference to all this shifting and changing, he had only to observe, that the noble Lord (Lord J. Russell) and his Colleagues had split on their old rock, an empty exchequer. The Whigs, when they got into office with a full exchequer, indulged in such lavish expenditure that before long they were obliged to look to the country for more money. Many of the charges to which the Chancellor of the Exchequer had referred were merely incidental and casual, and the country should know that the Chancellor of the Exchequer was looking to permanent taxation for incidental expenditure. He (Mr. O'Connor) objected to this tampering with thousands and hundreds of thousands of pounds, while the country was in the present depressed state. With reference to what had fallen from the hon. Member for Manchester, he would observe, that the whole derangement of the monetary system was attributable to the system of free trade. That hon. Member had, in the course of his argument, made use of a fallacy. He had said, that America had purchased manufactured goods from this country three times as much as formerly; but he (Mr. O'Connor) wanted to know how much less wages the working manufacturers of Yorkshire and Lancashire had received for their labour. That was the vital question. The hon. Member inquired what would have been done if free trade had not been carried? He would tell the hon. Member, that if free trade had not been passed, wheat would never have reached 80*s.* the quarter, for the dealers in corn, who had speculated on long bills, would then have been afraid to do so, because of the existence of the sliding-scale. He did not concur in what had fallen from the right hon. Baronet the Member for Tamworth on a former occasion, to the effect that it was not the desire of any Government to augment the revenue. One fact was worth a thousand arguments, and the fact was, that Governments had never resisted propositions for that purpose, but had easily been seduced into compliance when asked to augment the revenue. Precedents had been referred to; but let them not draw precedents from the dead, or they might as well meet in a graveyard, and sit upon tombstones. These were not the authorities upon which men in the present

day would consent to be governed. They lived in new times, and needed new men to govern them. Let them, then, draw their precedents, not from the old sluggish humdrum minds that were gone, but from the active spirits of the present day, that had produced the electric telegraph, the penny post, the steam-engine, the railway, and all the mechanical inventions of the age. Let the Chancellor of the Exchequer beware lest he might be obliged soon to come down to the House and demand increased taxation on another account. He hoped that this country would remain at peace; and, indeed, they had the assurance of the noble Lord at the head of the Government that it was not the intention of the Government to interfere with France. Let them show foreign countries that they were serious on that point; but let them not at the same time show foreign countries that they were not in a position to go to war, in consequence of disturbing the public mind at home. With respect to the income-tax, there was a talk of extending it to Ireland; and, perhaps, when that happened, the Irish Members would have some feeling for the starving English, and vote against the income-tax altogether. He protested against the invasion of the rights of the middle class; and while he did so he equally protested against the invasion of the rights of the landed class. He was in a position which well qualified him to speak of the latter class, for within the last three years he had examined, valued, and inquired into landed estates more than any other man, and he had not heard two complaints against the landlords. So lame and impotent a statement as that made by the Chancellor of the Exchequer he had never listened to. He was sorry that more competent Gentlemen were not at the head of the monetary department of the Government, to give satisfaction to the people for the expenditure. He could assure hon. Gentlemen on the Ministerial benches that the days of temporising were gone, for no people were so rapidly improving in political and other matters as the people of England.

Colonel SIBTHORP rejoiced that the Chancellor of the Exchequer had thought it wise to abandon that part of the budget which had been hastily proposed by the noble Lord (Lord J. Russell). He recommended both to take care how they again put to sea without a compass to guide them, and without a crew to carry them through dangers. It had been said that on the last reimposition of the income-tax no one had opposed it. This he denied. He was glad to see that the right hon. Baronet the Member for Tamworth was not absent, for *de absentibus* equally as *de mortuis nil nisi bonum;* and he was going to say not *bonum* but *malam* of him. It had been said, he repeated, that no one had objected to the last reimposition of the income-tax. Now, *litera scripta manet*, and Parliamentary records might be referred to. When the income-tax was proposed in the first instance, he voted for it because he placed confidence in the right hon. Baronet the Member for Tamworth, though events had proved that, in that respect, he had relied upon a broken reed; but when it was again proposed in 1845, he voted in the minority against it. When, therefore, he heard the Chancellor of the Exchequer, his right hon. relative say, that no person opposed the tax in 1845, he felt it necessary to correct the misrepresentation. Upon that point he might exclaim with Othello, "Speak of me as I am." He was glad to perceive that the hon. Member for Montrose was to be one of the Committee on the Estimates. The country placed confidence in the hon. Member's integrity; and there could be little doubt that if he could succeed in cutting down the salaries of Ministers and lopping off unnecessary expenses, the income of the country would prove equal to the expenditure without any additional taxation.

Mr. MUNTZ had never witnessed so decided a feeling in the country as that which prevailed against the proposition which the Government had that evening withdrawn. Had the Government persisted in the attempt to carry that proposition into effect they must have been driven from power, and he was by no means sure that they were safe now. The country objected to the tax altogether, because of its unequal operation and inquisitorial character. Like other Members he was perfectly astonished when he heard the Chancellor of the Exchequer declare that the tax had met with no opposition in 1845. Upon that occasion the hon. Member for Middlesex moved that the Income-tax Bill should be read six months from the day on which it was then proposed to be read a second time; and he (Mr. Muntz) seconded the Motion. The Chancellor of the Exchequer anticipated an improvement in the revenue; but he differed from the right hon. Gentleman upon that point. The experience of every day showed that we were losing our

export trade. The reaction of 1845–6 rested on an unsound basis. A great portion of the trade then carried on was of a speculative character, and the transactions were not paid for; thus leading to many of the failures which occurred last year. The proceeding to which the Chancellor of the Exchequer was now about to resort, of making payments out of the balances in the Exchequer, was pregnant with danger in the present circumstances of the country. By reducing the balances the Government would be unable to pay the dividends without calling upon the Bank to make advances, and by making those advances the Bank would be prevented from assisting persons engaged in trade. The country was in a position which demanded serious consideration.

Mr. MITCHELL entirely concurred in the opinions expressed by the hon. Member for Birmingham, for he was persuaded that there was not the slightest chance of the trade of the country recovering from its present depression. It was highly probable that recent events in France would exercise an unfavourable influence on the Customs; and that, generally speaking, trade would be still further depressed. Whatever deficiency the Exchequer might exhibit, it ought to be supplied by direct taxation; and he called upon the Government not to pursue the course of bankruptcy which in 1841 brought disgrace upon the country. It was the duty of the Government to explain its views upon this point before calling for a vote of the House upon the question of the renewal of the income-tax.

Lord D. STUART said, his constituency and the country at large had a settled determination not to pay a tax so unequal and unjust as the income-tax. It was true that the concession just made would have the effect of mitigating the dislike of the people against that impost; but he was certain that it would not give satisfaction. The objection which he (Lord D. Stuart) felt to the tax did not arise from its amount so much, as from the fact that it was unequal in its operation, and inquisitorial in its nature. When the tax was first imposed, it was promised that it would only last for three years; and he trusted the non-fulfilment of that promise would serve as a caution to hon. Members not to rely hereafter on Ministerial appeals. The noble Lord at the head of Her Majesty's Government observed that those who disliked the tax should find a substitute. He thought that that was the duty of the Chancellor of the Exchequer and not of hon. Members. It was their duty, not to find a substitute, but to object to any tax which they thought improper. They had been told that this tax was absolutely necessary; but now that they strenuously opposed it, the Government thought they could do without it, and that some substitute could be found. The same course might have been adopted had the House resisted the imposition of the income-tax altogether. He trusted the country from one end to the other would resist an impost by which the man of property paid no more than he who derived his income solely from his talents. 26,000,000*l.* of taxes had been taken off; and it was the duty of the Government to reduce the expenditure in proportion to that amount, or else to devise a substitute less oppressive and unjust.

Sir R. H. INGLIS observed, that the noble Lord the Member for Marylebone had said that 26,000,000*l.* had been reduced from the taxation of the country; and he asked whether the ingenuity of the Ministers, or those who aspired to become Ministers, might not contrive to raise a sum equivalent to the necessities of the country by means other than by this inquisitorial impost? He would ask whether there was any one Member whose constituents had been relieved by the repeal of any portion of those 26,000,000*l.*, who would be willing to reimpose the tax on his constituents in lieu of this obnoxious income-tax? There had been, from the produce of the earth, in the shape of one class of production, an income raised, in the lifetime of many hon. Members, equal to the revenue of any State of Europe, except three. That income had been renounced. 7,000,000*l.* of duty on the produce of barley had been repealed since the peace. Would any country Gentleman support the proposition to reimpose any portion of that tax? The truth was, that they must either reduce their expenditure, or supply some substitute for this objectionable tax. Why, even the hon. and gallant Member for Lincoln, however much he might object to the present tax, did not venture to say that he could find an adequate substitute by the revival of any of the taxes that had been repealed. [Colonal Sibthorp: I do.] He congratulated the Chancellor of the Exchequer at having one so ready and able to supply that deficiency which the right hon. Gentleman

found it so difficult to discover the means of doing. It was not for him (Sir R. Inglis) to make a tax; but he would submit to the consideration of the right hon. Gentleman a plan which had been adopted in France and in Belgium, and which ought not, in his opinion, to be absolutely without its weight in the consideration of the Finance Minister of England; and that was the imposition of a stamp duty on foreign bills of exchange. Another plan to which he was desirous of calling the attention of the Chancellor of the Exchequer was the imposition of a tax upon gas. That, he apprehended, had not formed a part of the budget of the past or of the present Chancellor of the Exchequer; nor did he know that it was in the contemplation of the future Chancellor of the Exchequer, his hon. and gallant Friend the Member for the city of Lincoln. The hon. Baronet then adverted to the suggestion which he had on former occasions urged for commencing the charge of the tax at a given unit—say 50*l.*, 100*l.*, or 150*l.*—that was to say, exempting every income of that amount, and beginning to reckon upwards from it; so that a person, say, of 150*l.* a year should be wholly exempt from the tax, and a person having 200*l.* a year should be taxed only upon the extra 50*l.* By imposing a graduated scale on all incomes beyond that sum, the right hon. Gentleman would be able to realise a very considerable income without pressing upon persons in the situation of clerks in public offices, merchants' houses, law offices, and small annuitants, the parochial clergy, and all those who had small fixed incomes, and who had now to pay for such given sum precisely the same as if they were the Duke of Devonshire or Mr. Rothschild. He (Sir R. Inglis) would not at present say whether he would not yet, at a future period, give the House a more formal opportunity of pronouncing an opinion upon this proposition; but, at all events, he earnestly recommended that right hon. Gentleman to take it into his serious consideration.

MR. BLACKSTONE understood that the Chancellor of the Exchequer had said, that no hon. Member on the Opposition benches had opposed this tax when it was first proposed by the right hon. Baronet the Member for Tamworth. Now he (Mr. Blackstone) begged to say that he was almost the only person on the Opposition benches who opposed the right hon. Gentleman when he originally introduced the tax; and he did so on the ground that the right hon. Gentleman was only making it an engine with a view of enabling him to repeal the corn laws. He also opposed its reimposition, on the ground that it was unjust to apply it to England and Scotland and not to Ireland.

MR. SEELEY expressed his regret at the addition made to the national debt. For the last two years the deficiency was between 6,000,000*l.* and 7,000,000*l.* 1,500,000*l.* was to be placed to the account of Irish distress; but, nevertheless, it was so much added to the debt. He thought that the public accounts might be more simplified than they were. It would be desirable that on a certain day in every year there should be presented to the House an abstract of the assets and liabilities of the country, so that the House might see at a glance whether the debt was increased or not. The House ought also to be informed what was the state of our finances in India.

Order of the Day for the Committee of Ways and Means read: Committee postponed till Friday.

House adjourned at Eleven o'clock.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME XCVI.

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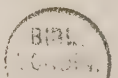

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